

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

_____	§	
	§	
JOHN LEZELL BALENTINE,	§	
	§	
Petitioner	§	
	§	No. 2:03-cv-00039
v.	§	
	§	
LORIE DAVIS, Director	§	
Texas Department of Criminal Justice	§	
Correctional Institutions Division,	§	
	§	
Respondent	§	
_____	§	

PETITIONER'S EXHIBITS

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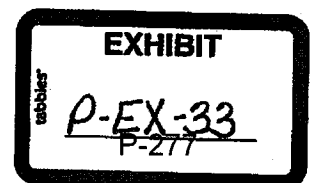
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JOHN BALENTINE FILE

- A. Background investigation of John Balentine
- B. Media coverage
- C. RLS Court Notebook
- D. Balentine's Police Records
 - i. Arkansas
 - ii. Harris County (Houston)
 - iii. Amarillo Police Department Field Interview
 - iv. Potter County Crime Bulletin
- E. Letters
 - i. to Balentine
 - ii. to April Ryan from Balentine
 - iii. from Mark Caylor, Sr.
- F. Work Product
- G. Research
- H. Jury
 - i. Fax from N. Hirschhorn, trial consultant
 - ii. Juror Questionnaires
 - iii. Juror Check-in sheets
 - iv. Strike lists
- I. List of Witnesses not listed by the state
- J. Defendant's Motions
- K. Confession
- L. 911 Call
- M. Interviews
 - i. April Ryan
 - ii. Angie Allen
 - iii. Betty and Andy Carlson
 - iv. Tarrence Gardner
 - v. Tony Hernandez
 - vi. C.L. Borden
- N. Witnesses
 - i. Terri Nizza
 - ii. Therry=Rucker
 - iii. Angie Allen
 - iv. Julie Nizza
 - v. Robert Anthony Brady
 - vi. Timothy Scott Austin
 - vii. Bud Williams
 - viii. Kendra Billings
 - ix. Kevin Lane Ingram



- O. Dockets
- P. Experts
 - i. Linguist-Roger W. Shuy
- Q. Legal/Factual Theories and Evidence
- R. Christopher Caylor Arrest Record
- S. Evidence
 - i. list of physical evidence
 - ii. list of exhibits offered
- T. Papers and Documents
 - i. Indictment
 - ii. Charge of Court
 - iii. Defendants Special Requested Charge as to Punishment
 - iv. Motions
 - v. Defendant's Application for Subpoena
- U. Photographs

LEGAL/FACTUAL THEORIES AND EVIDENCE

Statement of Defendant

"True" evidence in statement:

"False" evidence in statement:

Unreliability of Defendant's statement:

- 1.) Over 1 hour "pre-recorded" interview by officer
- 2.) Inferences of important evidence by officers to Defendant
- 3.) False statements inconsistent with actual evidence obtained by State

3 officers up 1 hr interview room - only 1 false statement

Experts

- 1.) Involuntary statement
- 2.) Linguist
- 3.) MRI

Defendant's Background:

- 1.) Criminal
- 2.) School
- 3.) Prior psychological tests

Facts that were influenced by interrogating officer techniques:

Arrest at Scene by APD Officer

- 1.) Location/time of arrest
- 2.) Lies told to Officer by Defendant
- 3.) Bullet found in Defendant's pants

Inconsistencies in "Field" interview and IR made by Officer after Defendant was stopped

No Gun found

No ammo found/other than 1 bullet

.32 Caliber Bullet Found by APD Officer During Search of Defendant

Bullet found in Defendant's pocket

Bullet had mechanical marks on it

Date of Report?:

- 1.) No mention in "interview" report

APD Officer told Officer Mark Brown bullet found in Defendant's pant pocket:

- 1.) Noted in Hardin/Brown IRs ?

Defendant's Girlfriend's Statement

Went to K-Mart with Defendant to buy ammo

- 1.) .32 Caliber bought by Defendant
- 2.) Defendant had clip – bought ammo to fit clip
- 3.) Exchanged .22 for .32

“Something bad is going to happen”

“I will be dead or in jail”

Phone calls she received on pager/believed they were from Defendant

Defendant Immediately Flees Amarillo

Defendant's brother's statement

Defendant's girlfriend's statement?

Phone calls received by Defendant's girlfriend on her pager

Phone call records of Defendant's girlfriend

Manner Defendant & Girlfriend used to identify who was calling on pager

(hearsay?) Phone calls made to phone #'s (girlfriend's records) by police and responses by person's picking up phones when they rang

**Search of Defendant's Residence/Discovery of K-Mart Receipt
for .32 Ammo**

Defendant's statement?

Defendant's girlfriend's statement

Receipt found in Defendant's residence

Ammo clip brought to store by Defendant

Receipt itself

Ammo-caliber, etc

Time/date of sale of ammo to Defendant

2 identifying witnesses saying Defendant bought .32 ammo/traded in 22 caliber

No .32 ammo found in Defendant's residence when searched by APD conduct

Illegal search of residence

Defendant's Brother's Statement

Defendant shows gun to brother when he wakes his brother up-

- 1.) "Smell gun"
- 2.) What he did

Brother takes Defendant to bus station

Defendant got handgun from brother

of statements-written/oral-given by brother to police

Criminal record of brother

Defendant's brother not charged

EVIDENCE
(Things to do)

Calendar:

Important Dates

Time sheet-important dates/times of the day

Overhead: diagram/photos

Crime Scene

Neighborhood

Crime Scene

Diagram

Video

Photos

Weapons/ammo found

Narcotics

Gang Signs/activity

Bus Schedule

Day of crime

Criminal backgrounds of deceased (all three)

Investigative reports of APD involving deceased

Ammo:

Police bought box from K-Mart

3 blanks

Similar gun

Approval to fire in Court

Autopsy Reports:

Blood test results

1. Chain of custody
2. Test results, etc.

Copy of taped confession
Copy of transcription of taped confession
Gang intelligence officer
Narcotics intelligence officer

Involuntary confession

Linguist
MRI

Witnesses:

Shots fired
Demeanor of Chris Caylor
Mark Caylor threats against Defendant
Drugs at house-being sold
Evidence inconsistent with Chris Caylor's statements
Time everyone went to sleep
Music on
Lights on
Door partially opened
Evidence inconsistent with Defendant's statement
Looked into residence/saw them sleeping
Manner Defendant entered house
Defendant went to alley/fired shot
Defendant entered residence through window
Gun in pants when stopped and searched by APD officer

QUESTIONS

Defendant's background:

School
Criminal
Pleas
Violence

Persons/places-reason for being where he was when arrested by APD

Outstanding warrants

Who went to his residence next morning

Gang Activity [deceased]

Narcotics-use/sale[deceased]

Witnesses to threats made by deceased

Background of deceased-violence

Relationship with Chris

Right to arm and seek explanation

Defense (Aike) Motion:

What would influence Defendant to confess

Study based upon confessions later shown by DNA Testing that Defendant was not guilty

Voluntariness of confession issues-jury charge

Justin Curtis Oehlert (brother of Christopher Taylor)

1-16-77

3506 S. Lynette

353-7303

"Paramount Caboose"

358-4477

NO. 39,532-D

THE STATE OF TEXAS	§	IN THE 320 TH DISTRICT COURT
	§	
V.	§	IN AND FOR
	§	
JOHN VALENTINE	§	POTTER COUNTY, TEXAS

EX PARTE MOTION FOR FUNDS FOR EXPERT WITNESS

TO THE HONORABLE JUDGE:

NOW COMES Defendant in the above entitled and numbered cause by and through his attorneys of record and files this his ex parte motion for funds for an expert witness and would show the Court the following:

I

The Defendant is charged with the offense of Capital Murder and the State has indicated that it will seek the death penalty. The Defendant is indigent and the undersigned attorney has been appointed to represent Defendant.

II.

The voluntariness of a confession made by Defendant would be significant at both the guilt/innocence and sentencing phases of trial. Due to the serious nature of the offense and in order to prepare this case properly, defense counsel seeks funds from the Court to hire an expert witness, and the Defendant requests, under the authority of Ake v. Oklahoma, 470 U.S. 68, 105 S.Ct. 1087, 84 L. Ed. 2nd 53 (1985), that the Defendant be granted an ex parte hearing in order to support this motion.

III.

To prepare adequately for trial and sentencing hearing, the Defendant will require the services of an independent expert who can assist the defense in cross examining and preparing a defense concerning the voluntariness of Defendant's confession.

Neither the Defendant nor his court appointed attorneys are sufficiently knowledgeable to fully comprehend, assess and present facts relative to the issue of the voluntariness of Defendant's confession; or to competently cross examine witnesses presented by the State who will testify to the voluntariness of the Defendant's confession. Defendant requests funds to be paid by the Court to allow Defendant's court appointed attorneys to employ an expert familiar with law enforcement techniques ⁱⁿ ~~and~~ interrogating suspects of crimes that result in false or involuntary statements being obtained ~~by law enforcement~~ ^{from suspects.}

IV.

Defendant would show the Court that without Defendant's confession only circumstantial evidence exists indicating that the Defendant may have committed the offense in question. The confession of Defendant constitutes the only direct evidence involving the Defendant in the deaths of the victims of this crime. ^{the} ~~A~~ ^{the} statement given by the Defendant to ^{the} law enforcement ^{officer} involves the following suspect facts concerning the ^{truthfulness} of the confession ^{and its voluntariness:}

1. Even though three officers were present when the Defendant's ^{law enforcement} interrogation by the ^{officer} that obtained the confession began, all witnesses except for the Defendant and the interrogating law

enforcement officer left the room after Defendant's Miranda rights were given;

2. Even though the confession was recorded by the interrogating law enforcement officer, approximately 1 (one) hour and 10 (ten) minutes of preliminary questions were not recorded by the interrogating law enforcement officer;
3. Numerous facts and allegations made by Defendant, as set forth in his confession, can be shown by the defense to be false and not consistent with evidence established by the State concerning the crime scene.

An expert in law enforcement ^{interrogation} ~~technics~~ ^{and the ability of law enforcement officers} ~~and false statements and false confessions~~ ^{to obtain} ~~false~~ is necessary for the Defendant to properly raise a defense pertaining to voluntariness and accuracy of the confession. ^{in this case.}

WHEREFORE, PREMESIS CONSIDERED, Defendant requests the Court to authorize sufficient funds to retain competent expert witnesses to assist in the investigation, evaluation, preparation, presentation, and cross-examination pertaining to the voluntariness of Defendant's confession and the potential for law enforcement interrogation technics resulting in a false confession. ^{in this case.}

Respectfully submitted,

Randall L. Sherrod
Attorney for Defendant
SBN: 18252500

NO. 39,532-D

THE STATE OF TEXAS	§	IN THE 320 TH DISTRICT COURT
	§	
VI.	§	IN AND FOR
	§	
JOHN BALENTINE	§	POTTER COUNTY, TEXAS

ORDER

On this _____ day of April, 1999 came on to be heard Defendant's EXPARTE MOTION FOR FUNDS FOR EXPERT WITNESS and the evidence and argument of counsel having been heard by the Court, and it appearing to the Court that said motion should in all things be GRANTED {or DENIED};

It is therefore Ordered, Adjudged and Decreed that Defendant's EXPARTE MOTION FOR FUNDS FOR EXPERT WITNESS be in all things granted {or denied to which action of the Court the Defendant excepts}.

Judge Presiding

~~Re~~ Roger said its not much.

4/14/99 10:09 am - Roger Shy, Linguist
Re: Palentine Case - Inconsistencies
of Confession

(1) Pg 4-5 Cop (Paul Horn) reads
John his miranda rights. Roger
says he has never seen a
miranda like this, because it
was done in the first person.

(2) Pg. 17
Doesnt believe John has a full
understanding of using pages when
he would be in contact w/ April.
Roger believes that the officer may
have noticed this also.

RWS

ROGER W. SHUY, INC.
LINGUISTIC SERVICES

629 BEVERLY AVENUE
MISSOULA, MONTANA 59801-5919
TEL. 406-721-5559
FAX. 406-549-8660

FAX TRANSMITTAL COVER PAGE

DATE: 4-12-99 TIME: _____

TO: Kathy Garrison 806-374-6501

FROM: Roger Shuy

NUMBER OF PAGES: 11
(Including Cover)

RETURN FAX NO: 406-549-8660

MESSAGE

Taped Confession of John Lezell Balentine, 7-25-98, 10:55 a.m.

Evidence of an earlier conversation

This confession statement is clearly a retell of an earlier conversation Balentine had with the investigator (PH) who did the interrogation.

The following statements provide evidence of this:

p.1 (40 seconds into the tape:

PH:...and I'll repeat what we already went over earlier at 9:50 o'clock...

p.2 (3 minutes and 50 seconds into the tape)

PH: Well, when you all moved in on East 17th, how long did you all live there together? Before you moved out, about, you know.

Since this topic has not come up in this tape, it can only have been from an earlier conversation.

p.3 (4 minutes and 30 seconds into the tape)

JB: Then Mark started staying there until the police raided the place and picked him up

PH: Uh-huh

JB: That I told...(interrupted by PH)

p.5 (6 minutes and 50 seconds into the tape)

PH: Now you were telling me about...that after you were out of the house that you had got word through Angela that Markie was saying that he was gonna shoot you

Since this topic has not come up in this tape, it can only have been from an earlier conversation.

p.5 (7 minutes into the tape)

PH: But there was more to it about the gun that Angela and that you said he uh, wh-, he threatened

Since this topic has not come up in this tape, it can

only have been from an earlier conversation.

p. 6 (7 minutes and 51 seconds into the tape)

PH: How'd you get over there? I know you do a lot of walking....as I found out, you do a lot of walking.

Since this topic has not come up in this tape, it can only have been from an earlier conversation

p.10 (11 minutes 57 seconds into the tape)

JB: Then I shot Mark in the head, and shot the other two in the head. Weren't all of them shot in the head?

PH: Right.

JB: Uh-huh.

Balentine is uncertain of where he is alleged to have shot the men. His question reveals that the officer knows the answer and that Balentine is trying to get the officer's confirmation of something told Balentine earlier.

p.10 (12 minutes and 15 seconds into the tape)

PH: And when you shot Markie, what part of his head did you shoot him in? Do you remember?

JB: Dead center, wasn't it?

Balentine is uncertain of where in the head he is alleged to have shot Markie. His question reveals that the officer knows the answer and that Balentine is trying to get the officer's confirmation of something told Balentine earlier.

p.14 (16 minutes into the tape)

PH: Cause you remember you telling me something about going to that one guy that lived in that two story house?

JB: Oh yeah, he made the stop...Yeah, at, ah, what his name?

Even though the officer elicits the retelling, Balentine does still not know the man's name and asks the officer to repeat it to him once again.

p. 19 (20 minutes and 53 seconds into the tape)

PH: I thought you told me you're not really a person that,
not a gun person.

p.21 (23 minutes and 43 seconds into the tape)

PH: I'm already, I'm asking you questions about stuff I already
know, you know, cause we...right?

The officer's unfinished sentence is of interest because
he appears to be about to say "cause we already talked
about this."

The officer prompts Balentine

p.6 (7 minutes and 51 seconds into the tape)

PH: How'd you get over there? I know you do a lot of walking...as I found out, you do a lot of walking. You cover some ground.

p. 13 (14 minutes and 43 seconds into the tape)

PH: Uh-huh. And then did he have you sit in the car or get out, or stand there, or what happened?

p. 14 (16 minutes into the tape)

PH: Did you make any stops? Do you remember?...I mean before he actually took off?

JB: Huh-uh.

PH: Cause you remember you telling me something about going to that one guy that lived in that two story house?

p.14 (16 minutes and 7 seconds into the tape)

PH: Because what did you tell that officer? Did you tell him you were going to see that guy? Or did you tell him you were going home? Or...

p.16 (17 minutes and 40 seconds into the tape)

PH: And did you tell him everything about what happened? Or did you just tell him you needed to leave?

p.17 (18 minutes and 37 seconds into the tape)

PH: Now did you call on the phone and she didn't answer? Or how, how did you try to get in touch with her?

p. 17 (18 minutes and 45 seconds into the tape)

PH: How would you go about paging her? How would she know it was you? Like if you used the bus depot number, how would she know it was you?

p.17 (18 minutes and 50 seconds into the tape)

PH: She told me, if I remember correctly, that what you would do is put your 8, she thought you were 28.

p.18 (20 minutes into the tape)

PH: Did you just get off for a rest stop? Or...

p.19 (21 minutes and 3 seconds into the tape)

PH: Somebody give you the gun or did you buy it from
somebody? Or...

p.19 (21 minutes and 15 seconds into the tape)

PH: Did he sell it to you or give it to you or just loan it to you
or how did it happen?

Some things I don't understand

1. About the gun not working

p. 9 (11 minutes and 12 seconds into the tape)

JB: Then I went back and looked at Mark and them and the gun jammed and so I had to go back outside and shoot it in the alley. When the police got called.

PH: So you were gonna use the gun but it was jam, it wouldn't work?

JB: Huh-uh.

PH: And you went to the alley? And what did you do with it in the alley?

JB: Shot it in the alley.

PH: To get it, to make sure it was working? Okay.

I don't know much about guns but I wonder how JB knew that the gun was jammed before he tried to shoot it. And why would it work in the alley but not first in the house? Note also that it was PH, not JB, who added the idea that JB tried the gun in the alley to make sure that it was working.

2. Balentine's mental state at the time of the killing

p. 12 (13 minutes and 35 seconds into the tape)

PH: Now, let me ask you this. After you got done shooting, how long do you think stayed in the house before you actually left?

JB: Five minute. I think I was stunned after I did it. I think I realized that I had did it.

PH: Yeah.

JB: I think I did it, I think five or ten minutes (stayed in the house).

PH: So you, you think you were actually in the house for a little while before you walked out?

JB: Yeah, cause it seemed like, seemed like I had done something. I couldn't believe I had did it.

Perhaps Balentine's stunned condition helps explain why the officer had to prompt him throughout, such as on

page 10, when Balentine has to ask the officer, "Weren't all of them shot in the head?" and "Dead center, wasn't it?"

3. Issues of self defense

It is clear that Balentine believed that he had to kill Markie before Markie killed him. I have no idea what kind of self defense theory this could support but there are down sides to it. For one thing, Balentine had the gun with him when he went to Markie's place. Secondly, the matter of killing the two other men seems contradictory to his self defense theory. He doesn't even seem to know who they are. But this does seem to fit a mental incapacity theory, or some mixture thereof. The prompts by the officer also support a mental incapacity theory

Complete Interrogation/Confession on Tape vs. Recap on Tape

As noted earlier, this is clearly a recap tape. I do not know what the policy of the Amarillo police department is, but I enclose pages from Geller's 1992 survey of police practices in tape recording confession statements. A recap has the advantage of saving money in tapes and equipment use for the police. It also has the advantage of reorganizing the suspect's statement into a coherent sequence for posterity. On the other hand, we have no way of knowing what actually happened in the untaped interrogation that preceded the recap performance, leaving some serious questions unanswered. The recap has the appearance of reality but it is, in fact, like a well rehearsed play. It is not the reality of the confession event; it is a cleaned up version. It gives us no knowledge of any possible coercion, promises, or questionable tactics that might have been used by the police. In short, it can clean up the act.

39532-A

47th

Reb

Potter

501

Ama

Handy copy

M

December 29, 1998

Re:

ntine

Dear Ms. Rebecca King:

First let me say I'm sorry for the time it has took to answer your letter dated October 13, 1998. I have had some health problems in which kept me from answering your letter.

Ms. King what I would like to tell the jury is, and this is very hard for me to put in to mere words. They need to know that I love my son very much! And that he was a good boy even though he got in to some trouble. I will try to tell you some in this letter.

Markie took care of me when I was so sick. I ran every body else off but him. That boy had a heart as big as Texas and made of pure gold. Not only did he take care of me but any one he ran across that was in trouble or having trouble. One time he push a ladies car in the snow 3 blocks to our home so he could hook it up to a battery charger. The lady had a small child with her no place to go and it was very cold out side. He was always bring home stray dogs, cats, and people. Many many times did he do acts like this.

Markie was also a forgiving person. I know he has forgive John Balentine for what he did. And this next part is very hard for me to do and tell you.

P-309

Page 1 of

39532-A

47th District Attorney
Rebecca King
Potter County Courts Building
501 S. Fillmore Suite 1A
Amarillo, Texas 79101-2449

December 29, 1998

Re: State of Texas v. John Balentine

Dear Ms. Rebecca King:

First let me say I'm sorry for the time it has took to answer your letter dated October 13, 1998. I have had some health problems in which kept me from answering your letter.

Ms. King what I would like to tell the jury is, and this is very hard for me to put in to mere words. They need to know that I love my son very much! And that he was a good boy even though he got into some trouble. I will try to tell you some in this letter.

Markie took care of me when I was so sick. I ran every body else off but him. That boy had a heart as big as Texas and made of pure gold. Not only did he take care of me but any one he ran across that was in trouble or having trouble. One time he push a ladies car in the snow 3 blocks to our home so he could hook it up to a battery charger. The lady had a small child with her no place to go and it was very cold out side. He was always bring home stray dogs, cats, and people. Many many times did he do acts like this.

Markie was also a forgiving person. I know he has forgive John Balentine for what he did. And this next part is very hard for me to do and tell you.

I have become a Christian since my incarceration. And so was my son Markie. It was my son that lead me back to being a Christian again. I was raised in a christian home but I did not live the life. But to get back to what I am trying to say I too now forgive John Balentine. I never thought I could say them word. When this first happened I wanted to do the State of Texas job for them. But now I ask for mercy on his life. I have not spoken to my family about this as of yet. It's some thing hard to put in to a letter. I ask you for now please keep this between just the Judge and attorneys in this matter.

I don't know which is wores being put to death or being locked up for the rest of your life in prison, where you have to think about what you did day after day night after nights. I know this from my own experience.

Ms. King I am also requesting the name and address of John ~~Balentine~~ Balentine attorney so that I may contact him. please. Thank you.

Sincerely yours

Mark E. Caylor Sr

T.D.C.J. - ID # 802784

Jester 3, Unit

Richmond, Tx 77469

By Mark E. Caylor Sr.

Mark E. Caylor, Sr.

TDCJ-ID No. 802784

Jester 3, Unit

Richmond, Tx.

James D. Durha
Attorney at l
1008 W. 10th A
Amarillo, Tex

79101-3113

Deliver to
Landy
Gerrod's

M

These are Randy-
They got back
w/ Jim's from the
1st day-

Jacey

Re: Cause No. 39,532-D

State of Texas vs. John Balentine

Dear Mr. Durham:

As you may know I am the father of the
murder victim Mark Edward Caylor, Jr.

I want to state that I did share this
information with the Potter County 47th
District Attorney's Office in a letter that
I wrote Attorney Rebecca King on Decem-
ber 28, 1998, and she nor any one else in her
office respond to the contents of that letter.

Mr. Durham what I'm about to say only
affects you client John Balentine if he is
found Guilty. I plan to ask the Jury for
mercy on his life. I understand from a letter
I received from the Potter County 47th
District Attorney's Office that the
State is seeking the Death Penalty in
his case if found Guilty.

Mark E. Caylor, Sr.
TDCJ-ID No. 802784
Jester 3, Unit
Richmond, Tx. 77469

James D. Durham, Jr.
Attorney at Law
1008 W. 10th Ave.
Amarillo, Texas
79101-3113

March 25, 1999

Re: Cause No. 39,532-D
State of Texas vs. John Balentine

Dear Mr. Durham:

As you may know I am the father of the murder victim Mark Edward Caylor, Jr.

I want to state that I did share this information with the Potter County 47th District Attorney's Office in a letter that I wrote Attorney Rebecca King on December 28, 1998, and she nor any one else in her office respond to the contents of that letter.

Mr. Durham what I'm about to say only affects you client John Balentine if he is found Guilty. I plan to ask the Jury for mercy on his life. I understand from a letter I received from the Potter County 47th District Attorney's Office that the State is seeking the Death Penalty in his case if found Guilty.

Mr. Durham, I am a Christian myself now, so I know anybody can turn their life around if they choose too.

Mr. Durham, Markie was my only Son, and I loved him very much, more than any thing! When this first happened I wanted to do the State of Texas' job for them. I say this so that you will know that my decision to ask for mercy doesn't come from a father who doesn't love his son. It is my christian faith that leads me to this decision.

Please tell Mr. Balentine after this is over, and if he is indeed Guilty, and if he ask me forgiveness, I will forgive him. I have forgiven him in my heart already.

Mr. Durham I plan on asking Judge Emerson to issue a bench warrant for myself for the trial so that I may find out what did happen to my Son and to testify or should say ask the Jury for mercy for Mr. Balentine's life if necessary.

Sincerely,
Mark E. Caylor, Sr.
Mark E. Caylor, Sr.

#3 Motion To Suppress ID

#4 Motion To Suppress Physical Evidence

#8

Need Order?

#9

#10

#5

#11

#6

#12

#7

#13

#14

#15

#16

#17

#18

#19

#20

Need Order?

#21

#22

#23

#24

#31

#25

#32

#26

#27

#28

#29

#36 Motion for Access to Jury Service Order

#37

30-35

*** Time for production? 3/27 data reviewed & provided -

copy of all motions granted by Court?
included subplots

~~11~~ ~~11~~ ~~11~~ ~~11~~ ~~11~~
#13 Granted

1

2

3

4

5-15

17

19

20

21-28

29-33

34 photos, video, audio tapes, ect

35-40

42-44

45- (as to Id & reports) 49

49-54

55-62 61-exculpatory only

63 (as to exculpatory communications)

64-69

3/22/99:

Δ not present; record of Court's findings was made.

Why D would confess to crimes?

Background of D:

school

service

work

relatives, friends

type of person with authority:

expert to testify why

psychiatrists

attitude toward authority

past criminal record

arraignment: answered to what name?

motion to read indictment with only one name...

basis for indicting under multiple names...

linguist

Bickwartz:

based upon your experience and training, what one piece of evidence, out of everything in the house would be the best to tie the murders to the person that possibly did the shooting...

examined skid marks, footprints, gouges found in the curb (concrete) were all "fresh" - relevant until you learned when you were leaving that John allegedly walked to residence? strongest suspect of the killings you had when you first arrived at scene...

point of entry and point of exit for person responsible for shootings...

fingerprint Markio Caylor - he had lived there, as well as Johnny and Mafy
hacker in house; when did his crime scene collection?

in September, involved in search for bullet in alley where shootings occurred? How many people were involved; how did you conduct search...

angles of shots to victims - ejection of shells - direction...

ask Mr. Means about heater - kept apartment warm
" " " " person in John's house morning he learned about the
shootings...
" " " " Misty or Markie owing him money for rent. Who was
responsible for paying rent to him...
" " " " him allowing Johnny to stay in building
without paying rent...

Angela told John Mark was saying

Moons

Bain

Angela

2 Houston Officers

Look into windows - see them knocked out
Markie on couch by the door
Bong right there

Went to bedroom - first thought ~~Christy~~ was Misty
How long did John know Misty had moved
out of house

Crawl under house - where gas line is
Went into house 1:00 - 1:30 Time first shots re-
ported....
Get prints off of refrigerator - try

Photos of floor entry

Photos of house where John crawled under house

Photos of items under windows in house - Kitchen window

Fingerprints from Kitchen window - Bar back on window

Murder shot dead center in forehead

Photos of names where each victim was

Name he gave officer "John Rowe" "John Smith"

Name officer ran

Warrants out on either name

Arkansas

Municipal Court - payments not made

* When was Angela's statement taken - heard him in alley - where was John's brother - statement from Angela's boy...

When Eric Smith's statement was taken?

Shawn Deo's statement - compare to Eric Smith
sold gun to John - John ask about gun
and ammo?

1/21/98

1/26/98: Angelica Allen Statement

Dominique Oliver

1/28/98

9/2/98 Eric Smith - Ben at John's house on Virginia

care in John's apartment - Eric Smith's statement
Look at photo's

Kelly Bain - "real calm"

"Time of Death"

~~scribble~~

did you believe "time of death"
was important

ejection of shells = auto-
matic

Pathologist:

great

time of death

angles of bullets through bodies

paranoia of amphetamines use

"RANGE"

went under house

measurements of areas under house → measurement of hole in
closet...

note any dirt in house in report - how long was your report

Phone # found on one of
victims

Time Line:

2.26

2.27 dispatched - total time spent 70 minutes

social security #

knew him as John

~~asked~~



asked so when you let him out from where

talk to special crimes -

find gloves; weapon

Legal issue on search...
questions pertaining to search...

No one else living here with Johnny.
Residence locked when police
went in 000

[illegible]

Ami

Threats made by Police = eye witness there at police
Johnny told of threats...
never mentioned you were at K-Mart with Johnny
when you ~~you~~ were picked up by police
and taken by police...

2 Mearns statements - Concant
went into residence - reports do not reflect you had
any evidence of April & Johnny going into
H/Mnt...

had to look into [REDACTED] sick to see receipt...

victims appear to have been cold [REDACTED] when they went
to sleep....

Notes of Horn:

school for interrogation of suspects....

searched whole area looking for gun --- bullets

"Chris saw you in there"

gun powder residue off of hands

Gun powder residue
tests for hands

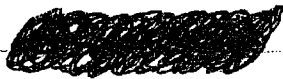
Mr. Allen:

investigated for 13 years
retired after investigation done...
2 way mirror
room wired...

notes in reports

procedures

510 E. 17th St.



Amos:

15:18 hrs. - 3:08

light on - doesn't

TV on

covered with coat

door locks unthrown

corp. Billy Reeves - supervisor

T.V. on
Light on
Radio on

internal doors in house

who was in charge of securing crime scene

Kelly Moon:

door cracked open
Mark in chair
front porch light off
TV off
heater off
ceiling off - no lights
ADD tools, thumb prints
can't recall - had coat, hat, shoes
Calm demeanor, never excited...

talk

no internal doors...
have a coat, hat, shoes on...

Chris Caylor and her boyfriend are step-brothers
Thought the ones shot were the ones that went
looking for John...

Mrs. Shaddix

Knew Kei approx. 1 year

sent Kelly Bain & Kristin Bain over to ~~see~~ pick her boy up.

Red Bud academy - in mentor program - home school -

go at own pace...

Son rode bus to Cayler's house...

Chris Caylor

used to be his friend

met through Misty - dating her at time...

living with Mark and Misty...

lived with Misty and John - baby (approx. 1 yr. old)

Misty kicked him out - told Misty John was cheating on him

Had had feelings towards John because of this

Came to house - Misty had black eye - 12 yr. old with her -

Mark got mad - punching things - went to find John
always slept in clothes

problems with West Side 16 Gang...

wires you up - speeds you up... kept him up - makes you
paranoid... used four or five days...

Where did all of you go to find John...

he saw John approximately one week before shootings - looked at John

who was wearing Cowboy Jacket & Steeler's Jacket - pointed finger and laughed.

~~told police John was suspect~~

*Why was he kicked out of his mother's house...

Mark carry guns - gun in house - 25 ammo.

unlawfully carrying a prohibited weapon

argument between Misty & Mark over who would pay rent.

put shoes, hat, coat on - went into living room...

What was on when he went to bed...

who was Ronnie

1
never reported incident to police...
got gun for protection - called Erin & got gun...
impossible to see into his bedroom
blankets - sheets up - could not see into house...
window would open above sink - - - opened 3 days be-
fore...

who all went looking for John...
what kind of shoes were you wearing...

Misty Caylor:

21

2 brothers

"going to kill that Niggers ass"

Rick waltz:

~~id photo of entry from under house~~

~~id photo of entry from under house~~

~~id photo of entry from under house~~

~~id photo of entry from under house~~

~~id photo of entry from under house~~

~~id photo of entry from under house~~

~~id photo of entry from under house~~

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~~id photo of entry from under house~~

~~id photo of entry from under house~~

~~id photo of entry from under house~~

~~id photo of entry from under house~~

~~id photo of entry from under house~~

photo sound like
strawman...
no forced entry in
main front
cabinet could through
to entry into house...

10" - lowest beam
did not try to
get prints off
of caribidys...

11 unidentified
prints on
front door

skid marks foot prints

back door unlocked

back door unlocked

back door unlocked

back door unlocked

back door unlocked

back door unlocked

back door unlocked

back door unlocked

back door unlocked

back door unlocked

back door unlocked

back door unlocked

back door unlocked

"warm in house"

* 1st prints found
on door that were not
identified

Skid marks, indentions in concrete FRESH

1. WILLIAM S. CALDER
 CHAIRMAN ON DR. CALDER
 MARK CALDER

P-341

25 ammo - where 25 was found
Cpl. Moncrief, Officer Smith

can you think of a set of circumstance where
you found a person guilty of capital
murder-- murdering multiple victims
in the same transaction where you
believed life imprisonment was a
proper form of punishment ...

Feelings so strong that it would affect the way
you answer the 2 questions of the
punishment part of the trial...

reasonable doubt definition

Moody Ray Shaffer
Stephen Deffen

} possible witnesses

witness list for John

*member of Sharon White's law firm - knows about confession - we
need to talk to him...

can you consider a set of circumstances where you found a D guilty
of multiple murders where you could access... the full
range of punishment....

minimum

can you think of a set of circumstances where you have
found a D guilty of capital murder - murdering
multiple victims in the same criminal transaction
where you realistically could consider life ~~or~~
proper term of punishment...

19th

2:30

NOT

1703 S. Buchanan

2d house S of inter on E side
faces west

?

ask about ~~the~~ dirt!

?

Radio Transmissions

?

Script

?

Go Back to scene; not in report

Tie him down
an gun not found
search for safety

of shots?

Sgt. Hain

5 minutes
2 Houston Detectives

Talked

Betty Carlson:

1700 S. BVC (1703 S. Buchanan)

4 or 5 times - shots

Heard someone fired in out - rattling - front

Shot again - about 4th time - ~~about~~ ^{about} times I picked
up phone to call you - shot again - about
the 4th time he shot...

#141

227

10-04 130

7th & Buchanan

1617 S. Buchanan

372-8835 Knows black male - John Smith...
"Gary Cain" Not a working #

Smith, John 1/31/69

42915 - First 5 numbers of SS #

42913

Ask about middle name - given Lazzell

1" long scar upper lip

finger marks only

No DL for individual

Works at Applebee's - born in Houston

Lists same subject as next of kin - asked
him to call for...

read full SS# 429137848

374-3557 # Kirstin Bush called from

Billy Reese (Reese)

Toy
Kirkwood:

had not been in = wait for special crimes...
have not entered the scene - coming from another
2 units over there
didn't need other units at this time...

Smith going en route = don't go in yet... = no one to
go up to house

3 calls over last year:

'99 Montpelier Court on Mark Caylor - Sins the
Runaway

nothing big = only 3 calls

John's House
Eric's House

House where shootings occurred - 510 E. 1st St

~~_____~~

Order of Officers' arrival at house

sister in-law of son:

John

What was John's brother living...

Errol Smith living with girlfriend & child...

Officer Amos #202

Carri Diane Moon

3/23/77

1414 Heidi Lane

Kelly Renea Moon

8/15/79

823 S. Alabama #B

353-6617 Mother's phone number

Both arrived at house, Kelly went into house, Chris Caylor had gone out to car and was waiting with 2 above while Kelly talked to police

Name of special crimes agent that interviewed 2 Moons; Caylor

Julio Ann Nizzai

7/28/80

1900-A South Brazos

Michael Ross OKeefe

5/21/82

7408 Jameson

359-0023

Officer Reiser # 302

Wed. 1/21/98

16 05 hours

2 above approached officer at intersection

Kirstin Niel Bain

12/8/79

West 11th Avenue Apt. 3

Kelly Karen Bain

6/19/80

Same address

also around Chris Cayton
went into house at request of others

Kirkwood: #256

roped off visible skid marks exiting alley adjacent to
the east side of the residence

Officer Hardin #207

11/22/98 (date of supplement; what time was supplement done)

1703 S. Buchanan
"shots fired"

he heard what sounded like 22 caliber weapon shots coming from somewhere in the immediate area east of his residence

northwesterly direction from South side of East 17th, just to North of 1701 S. Buchanan

Subject came from area where resident at 1703 S. Buchanan had reported shots fired

Field interview card # 5399

contacted by Solis on 11/21/98 at approximately 6 pm

*
*
* went to crime scene; talked to 4 detectives; talked to Montano; talked to Lt. Smith - answered questions; went in and called in supplement...

Letter to Mother & Mark

incident reports made by police:
each victim

gang intelligence

Houston Police Reports

Linguist

MBI

Richard Oshee

Arkansas Case...

BATSON MOTION

review Reddock's questionnaire

Judge advocates them there is no life without parole- we are entitled to change
on 40 year minimum

Sammie Andrew Mayes:

1953

19 M 21 F

does work for county jail - oct.

problems with IAS

knows Tim Hoffman - Perry Peak
victim theft

don't believe very many innocent people are convicted

p. 82* p. 90

Most enforcement officers - good honest people with a job to do

Erased

Judy Kay McCloy:

Erased

Sharon White

Steven Barto Close:

Counselor - TDC -

Field Control Officer

Deterrent Effect of Punishment =

Not much rehabilitation in prisons - doesn't work
Not much for getting even...

John Robert Allen
A's track record
Brother D'S Officer

Barry Jack Hawkins
opinionated
proof beyond all doubt...
people ~~presumed~~ to be guilty until they prove their
innocent
doesn't believe that way himself
answer first question yes... I found a D guilty...

UC

right to remain silent

Andrew Joel Friedrichs

vocal feelings
problems of work
financial burden

9
11
12
13
14
15
16
17
18
19
20
21
24 Valverde

Travis James Martinez:

8/25/80

death penalty just

police are good and ~~reasonable~~ moral people

going after LHO degree - what mother does...

CSO.

handshakes = unemployed

probably guilty:

reasonable doubt

prove all elements:

don't prove one element

Edward Charles Sisson:
Beaten up by 4 blacks

Marc Aron Ferris

"No way"

eye for an eye
drug rehab

considered to things he didn't do before

Shooting vs stabbing

right to remain silent

~~scribbled out text~~

racist - whites killed...

stabbed rather than shot

probably did the crime...

even consider protection for a person and guilty of murder

death penalty

#89...

Aztec Coffee Co.
Who owns...

"Eye for an eye" !!

Economic

Race

Feeling about death penalty what the way you would
answer these 2 questions !

#76.

#80.

#82

#83

#85

"live by sword & die by sword"
son cut by 14

"cannot think of set of circumstances where
he could answer #2 yes - am sure there are
some..."

*in order to be a fair juror - qualified jurist
conceive in your mind, set of circumstances

#24

#28

bias in favor of
belknap

credibility of law enforcement

to much time and money spent on cases -

to many appeals

better in law than
working

100

80-82-88-

#76 #87 #84

#90

racial

#52

hardship
death

#67 #84 #82 #91



convict guilty I see that the innocent are never falsely con-
victed...

Bias
Against

Show proof they are innocent = burden upon people that are innocent sometimes falsely accused
A. K. S. P.

convict guilty / see that innocent are not falsely accused
right to remain silent

admit to committing acts they did not commit
confess to a crime they didn't do

Johnny probably did it?

not a follower

black / white issues

Garry Mathis

cannot remember so much about

April kept calling John - keep him informed about
what police were saying

(Officer that picked him up) No sleep for 2 days - kept maring him...

(Houston Officers) "didn't know what he was talking about" - 2
Houston Officers left

"told John other person saw him..."

asked John if he wanted statement "typed" or
written. John said typed, it was faster...

Eric Smith #374 - 7155 (Angie's girlfriend)
ask for Freddie or Eric
ask for Freddie first

Eric - crack cocaine (Toronto - Arkansas)
Eric driving run car - Carmi Stogger Lee...

April mad at John now?

Chris Caylor -
no violence

Terry Nizca:
went off with Mady

Cook
Martinez } Potter County

Daniel
Other Officer } Horster Officer throw him into walls
kicks on his head...

6 or 7:
hit head on highway
knocked

dark headed one had left with Mark's, got
in fight with blonde headed one

2 car loads = 2 girls, 4 or 5 boys after
John?

sold drugs...

always whipping kids... other gangs...

** Chris Cayano:

Worked at car wash - Westside...
friend for his attitude - part time
mechanic...

** gang signs inside house
no door inside house:
no doors

Mark's girlfriend = Heather (Crawley)
lived in Randall County...
dated long time - both Mark's
and Chris...

Markie got Chris kicked out of his house...
right before Markie went to "boot camp"
in "boot camp" about 5 or 6 months.

Misty:
on probation for robbery...
over a man...
sold crack cocaine for Shawn De... .

Evidence
(Things to do)

calendars

important dates

time sheet = important dates // times of the day

overhead: diagram // photos

crime scene

neighborhood

crime scenes

diagram

video

photos

weapons // ammo found

~~scribbles~~ Narcotics

Gang Signs // Activity

bus schedules

day of crime

criminal backgrounds of deceased (all 3)

investigative reports of ADD involving deceased

ammo:

police bought box from K-Mart

3 blanks

similar gun

appeal to fire in Court

autopsy reports:
blood test results -
1) chain of custody
2) test results, ect.

copy of typed confession
copy of transcription of typed confession
gang intelligence officer
narcotics intelligence officer

It's pertaining to crime scene - 1 month:
narcotics / gang activity

involuntary confession
linguist
MBI
Witnesses:

Shot fired

Drugs at house - being sold

demonstrator of Chris Caylor

Mark Caylor threats against D

~~evidence~~ evidence inconsistent with Chris Caylor's statements -
time everyone went to sleep

music on

lights on

door partially opened

evidence inconsistent with D's statement -

looked into residence / saw them sleeping

P-376

manner I entered house
I went to alley / fired shot
I entered residence through window
gun in pants when stopped & searched by APO
officer...

LEGAL / FACTUAL ~~THEORIES~~ THEORIES
AND EVIDENCE
confession / statement of D

admits following "true" facts :

experts - voluntary / involuntary ; linguist ; MBI
D's background - criminal ; school ; ~~and~~ psychological tests
"true" facts that were inferred by ~~the~~ interrogating
officer to D :

"false" evidence ~~in~~ in statement

unreliability of D's statement:

over 1 hour "pre-recorded" interview by officer...

inferences of important evidence by officer to D

false statements inconsistent with actual evidence obtained
by State...

arrest at scene by APO officer

location / time of arrest
lies told by officer by D
bullet found

inconsistencies with "field" interview and I A made by officer
after D was a signed by APO

no gun found
no ammo found / other than 1 bullet

.32 cal. bullet found by APO officer
during search of A

bullet found in A's pocket
date of report? bullet had mechanical marks on it -
no mentioned in "contact" report

bullet location told to Mark Brown?
used in Hardin / Brown I.R.s?

As ~~scribbled out~~ girlfriend's statement

went to K-Mart of D to buy ammo -
32 caliber
exchanged 22

"something bads going to happen"
I will be dead or in jail
phone call's she received on pager // believed they were Sam
John

I immediately flee Amarillo
by bus

D's brother's statement

D's girlfriend's statement?

phone calls received by D's girlfriend on her pager

phone call records of D's girlfriend

number D & girlfriend used to identify who was calling on
pager

hearsay?

phone calls made to phone #s (girlfriend's records) by police
and responses by person's picking up phones when they
ring...

receipt for 320 cal. ammo purchased by
A at K-Mart

A's statement?

A's girlfriend's statement

receipt found in A's residence

ammo clip brought to stand by A

receipt itself

ammo - caliber, ect.

time / date of sale of ammo to A

2 identifying witness saying A bought 32 ammo / loaded in
22 caliber

I gets gun from his brother

Δ's statement to his brother ^{about} ~~what~~ had happened

Δ shows gun to brother when he wakes his brother up
small gun
what he did

Brother takes Δ to bus station

Δ ~~got~~ got handgun from brother

of statements - written/oral - given by brother to police
criminal record of Δ
Δ's brother not charged

Questions

D's background
school
criminal
plans
violence

persons & places - reason for being when he was when arrested by
ADD

outstanding warrants
who went to his residence next morning

gang activity
narcotics - use / sale } deceased

witnesses to threats made by deceased

background of deceased - violence

relationship with Chris

right to arm and seek explanation
Defreeze (Aike) Motion:

what would influence D to confess

study based upon confessions later shown by DNA Testing that D
was not guilty...

voluntariness of confession issues - jury charge

Tustin Curtis Oehlert (brother of Christopher Taylor)

1-16-77

3506 South Lynette

353-7303

"Paramount Caboose"

358-4477

Texas Rangers:

Henry Lucas

^ false confessions

highly suggestible person

coerce compliant confession

coerced internalized confession

warrants (Arkansas; Amador Municipal Court?)

details of house

firing of weapon

victim and others looking for A; going to kill him... Deceased in possession
of 25 caliber weapon

interview A's girlfriend

heights; weight; ect. - description of A

gang activity; involvement with drugs

record - jail time of deceased

" " " of survivor

why was A close to residence when arrested...

educational; psychological background of D...

need for psychiatrist... examination when he was a child...

expert in the area of police interrogation tactics and influence of people involved in police interrogations...

sociologists

social psychology

confession involuntarily made / whether confession was coerced...
whether or not psychological ploys or tools were used to get a true or false confession.

statements made by D were involuntary and a result of psychological coercive tactics employed by police...

highly suggestable individual

- 1) coerced compliant
- 2) coerced internalized confession

Person in jail - just recently released - Mark Taylor
Misty & Mark - Probation Officer's name is...
Names & reports of 2 probation officers
that came by and talked to Mark &
Misty



Mr. Means:

Gang graffiti

2 Nizzas

Car smashing

House shooting

Notebook

Confession

David & Jack he killed those boys
Bragged about it



if you

Need page 2 of Terry Nizza's 1/22/98 statement

Where did she describe jackets worn by people looking for John...

KKK Sign

House Shooting

Caylor's letter to his Mom...

187 Cripes - Hoover - Westside

Misty:

Kelly Moon:

Misty never called police - about Johnny
Chris Caylor never called police about Mark
of Johnny. Chris helped get a gun.
Geyer was carrying it... Gun found
under Mark

Geyer, Watson, Caylor -
Went looking for
Johnny...

Work
Product

lots of gang sign on outside of house

Thought those were the
same 3 that were
dead that went look-
ing for Johnny

Johnny beaten up...

Chris Caylor:

Never any problems from Johnny before
this incident

Angelique
Schavette
404 S. Virginia

Who told Johnny that Mark was
saying he was going to kill
Johnny and had a gun...

Geyer: carrying black
sterling gun carried
by him...

Watson: Gang tattoo

Need page 2 of Terry Nizza's 1/22/98 statement
Where did she describe jackets worn by people looking for John...

KKK Sign

House Shooting

Caylor's letter to his Mom...

187 Cripers - Hoover - Westside

Misty:

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Chris Caylor never called police about Mark Caylor...
or Johnny. Chris helped get a gun.
Geyer was carrying it... Gun found
under Mark

Kelly Moon:

Geyer, Watson, Caylor -
Went looking for
Johnny...

Photo of gang sign on outside of house

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same 3 that were
dead that went look-
ing for Johnny

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Angelique
Schavette
404 S. Virginia

Who told Johnny that Mark was
saying he was going to kill
Johnny and had a gun...

Geyer's carrying black
sterling gun carried
by him...

Watson's Gang tattoo

Niff 206

Menns

Thierney

Chris Caylor

Steve Powers

Gang information on any 3 victims

Misty Caylor:

Mark threatened to have her killed by Latino Mafia...

House Shootings:

Vandalism of Car

Mark Caylor's teacher :



Thierry Rucker, John's cousin, is outside. He wants to come in.

He has known John since birth - family, etc.

Can he come in so John will know someone from his family is here?

If convicted, this guy could be someone to speak for John.

Please let me know if I can bring him in now.

Kevin Ingram - served by PCSO, Sat. PM.

Sony Brady - I served & int'd. here at 1:30 - we have to get him up.

Jim Austin - served & int'd for 1:30.

Mizza's - both served & took here 1:30 -

Thierry Rucker - served & to be here.

Angie Allen - served & int'd. for 1:30.



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Thierry Rucker, John's cousin, is
outside. He wants to come in -

He has known John since birth - family,
etc.

Can he come in so John will know some-
one from his family is here?

If convicted, this guy could be someone to
speak for John -

Please let me know if I can bring
him in now -



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20(a)

stanley montgomery:
deputy prosecutor...

hired attorney
plead guilty to trial

James Buall:
Newport Police Dept
1986

Rosa Mae Miller:

maintained person.....

mama worked there 20 years...

6 months - she worked there only a short time

Steve Powers:

Autopsy Report of Steven Watson
Notebook = gang terminology
"West" on house...

any possible significance for gang association...

Kevin Ingram

Tony Brady

Room report

Tim Austin:

threats made Mark towards Johnny

Nizza's:

asked Johnny to take his things and leave - afraid of Mark

Thierry Bucker:

Angie Allen:

what did you tell Johnny about Mark's threats...

Kelly Moon:

Threats made by Mark against Johnny
3 left looking for Johnny - 2 weeks before

When she saw the 3 dead people she thought they were
Screamed - Chris Caylor walked out of bedroom ^{one of the dead people} fully
dressed

Chris appeared "calm"

Chris Caylor:

Helped get a gun for Markie

Hand sawn - put on hat, jacket, shoes went
into front room

Said he slept through everything

KKK Reward for Johnny

Markie and others went to look for Johnny - to
beat him up - and under cross examination
he admitted to kill Johnny

Know everyone in that house did not sleep through shooting
know how paranoid-psychologist said use of those drugs makes
you

Hardin:

proved his statement to police could not have happened
no dust on him
no gun on him

Found bullet - bullet from store - only Ms. Cantu said
he put bullet back in bag - no evidence of more

Police looked for gun - none found at house search
large area around house - what happened to it

Chris said Geyer
boy was carrying
gun...

Paul Horn said
Geyer was
carrying a gun

Statement of Johnny:

You know 3 people went into room to interview Johnny
2 left

Paul Horn talked to Johnny for 1 hr. 5 min. then
turned recorded

Know statement is suspect from the way it was
done; way questions were answered... way
answers to questions were made

Arkansas lady:

convicted - they would have introduced documents
let them try that case - according to Johnny's
dialogue with that lady he will get a life
sentence

he left her alone in car and she ran - believe she would
stay in a locked car...

Incident with Horston Officer's

quick reaction when he came at him from behind & grabbed
his arm...

Chris Caylor was not shot

The police officer was not shot

No fights with officer Hardin
No fights with arresting Houston officers...

Markie and whomever were traveling with him were going to kill Johnny... according to Johnny's statement he was concerned about his family, the Kidd and anyone that was with Johnny being hurt...

Misty & Johnny's relationship was good until Mark was paroled and moved in with them. Drugs started being used... He and Misty started having problems...

could Johnny have gone to police... did Misty and Mark go to police...

Paul Horn & Geyer was carrying a gun

Threats were made:

Kelly Moon -

Thought she was 3 that had gone to look for Johnny
to kill him when she 3 that were shot
when she first saw them in house

Chris Caylor -

Going to kill Johnny

KKK Recipient poster for Johnny

Caylor had the gun that Chris helped
get -

Paul Horn:

Caylor was carrying a gun

ammo found at scene - gun under
Mark

Tim Austin

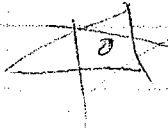
April 6:

Johnny had already been beaten up by 3 people

Terry Nizza

Angie Allen

Johnny's statement:
Threaten to hurt him and others, concerned
about welfare of the kid and his family
and anyone he was with.
On drugs - knew Mark would kill him.
Knew these other boys had been at Mark's
smoking days.



Hair or fiber no mention
how? (If there, it's a big
implication)

If clothes on top, if opened, clothes
would have fallen through - wouldn't they?

Is it true that Houston pre-records
pre-confession tapes?

The notes say, "He ~~did~~ saw his friend shot in
Andrew Douglas's - develop more? the head -

Follow up - ask Horn - do you know
what a false confession is? Why
people confess falsely? Coerced, or to
protect others?

Balentine has not changed size.

B

Jim

Statement to Police:

3 officers come into interrogation room with Johnny
2 Houston officers leave after a few minutes - why?
Mr. Horn talks to Johnny for 1 hr. and 5 minutes

Not recorded
what did they talk about:

evidence against Johnny - why police say he was
guilty...

discussed April:

Johnny knew police were looking for him
talked about filing criminal charges against
April

Johnny decide to help April

after 1 hr. and 5 minutes he agrees to be recorded
non of officers indicated Johnny was up tight - just
wouldn't talk about his involvement apparently -
so they leave.

Whole tape - appears Johnny is seeking to say what
Mr. Horn wants him to say

I looked through the window - saw them knocked
out - evidence (photos) shows shades and
curtains were

Mr. Horn ~~stressed~~ stressed Johnny stating he saw the Bang in the little house was very damning evidence against Johnny - but Johnny stated he had seen the her other boys that were shot at Mark's before doing drugs...

Crawled up under house - no pictures - nothing noted by police when they went around house and photographed open space going under house... would have noticed something going under house - took close up photos of it - saw no signs of entry - size of crawl space - 10H - appear Johnny was too big to go in - Johnny has a key - could go in front door - noise opening window in bathroom... not supported by evidence - Hardin noted no dirt on him - no under house dirt around hole - put boxes and cloths back over hole - clean up dirt - clean himself before officer saw him & searched him - officer walked up to back of Johnny to search him - back or front of black clothes should have been covered with dust...

Johnny said he put gun - and ~~a~~ did gun - good medium sized gun - between belt and stomach - searched twice for weapon - wasn't there...

Johnny said when he went into house he turned on light and looked at Chris - light & TV was on when he went into house - after looking at Chris he turned the light off - why didn't he kill Chris - previously said he knew person in bed was Chris ~~not~~ ~~Chris~~ Misty...

Walked through living room and into kitchen and got a drink because he was thirsty

Went back and looked a Markie and them and gun jammed - how - had to go back out side and shoot it in the alley - at 2:30 in the morning - something that loud... How did he leave house? through front door - evidence would support that theory - shot gun and came back into house - through kitchen window - not supported by evidence - 2 officers indicated you could open window - one, you had to wiggle it back and forth - ~~and~~ the other, it could be pried open - officer indicated that

they ruled out entry through window because of location of mess under window in at least sink - nothing like prints - foot prints found outside of window - *And Johnny said "I put the bar back - no bar was tested in any window..."

How important was April to Johnny's statement? Horn indicates to Johnny - now, didn't you tell me (discussed off recording) that not long after you left you did talk to April?

* "Johnny states "Yeh, I contact April... I called over to Thierries house, and uh (murd/bb) and that about it"

When Mr. Horn starts discussing who was with him when he bought bullets - Johnny wanted to stop the tape...

Mr. Horn says "Well, if I stop the tape then I can't restart it. That's what I'm saying. I'm... I'm already... I'm asking ^{you} questions about stuff I already know, you know, even we ... right? Already discussed April and the fact she was with him... P-417

Johnny stresses "She don't, she don't know nothing about it." Stresses again April knew nothing about it. Mr. Horn moves on so Johnny will continue to talk to him - assures him by asking "did she know you were going to buy those bullets"

However, according to April's testimony - Mr. Horn & the police knew that April knew they were going to get ammunition...

April was never prosecuted - did Mr. Horn make that deal with Johnny to get him to talk was Johnny convinced the evidence against him was strong - would be convicted anyway by that circumstantial evidence - saw April in the process...

Autopsy:

No doctor testified their drug level was so high.

Had been walking from Walmart - going to see a friend -
Mr. Harwin took him to friend's house identified
him - said he knew him

Chris Caylor not killed - why - just as much a reason to kill Chris as anyone of the other two - other than Markie...

girl that arrives says she screams out something about they are dead - Chris automatically comes into room - dressed, hat and coat on. Acts "calm"!!!

Chris Caylor says he gets up about 2:30 and goes to bathroom - goes back to bed - hears car when girls pull up - girl comes in & screams - gets up and puts his hat, jacket and shoes on - goes into front room
girl says when she arrives door is ~~open~~ open 6 to 12 inches...

house is much much smaller than pictures show... No internal doors - no doors that could have been closed - only sheets or blankets used as doors...

Chris already dressed - had he been up - opened door -

Officer sees Johnny - doesn't run - not going down alley - walking in the street... Searched for weapons not once but twice. No weapon

Sound. Have time to hide weapon... Police searched for weapons for shells for days. Have a reason to hide gun - time to hide gun. Walk under the lights...

Johnny was dressed in black coat, blue jeans, dew rag - no dirt seen on him... identified under name he gave down to his scar on lip - First 4 digits of social security # given.

Why didn't he use name other than name he went by and could be identified through records accessible by police records. Then took him to ~~his house. [scribbled out]~~ no billboard on him - no identification on him...

Mr. Means indicated someone was in Johnny's little storage shed he used as his residence [Johnny was supposed to have been gone according to his statement...]

long guns found in Johnny's house when it was searched - no evidence they were stolen - no 32 ammo found - no handgun

No prints taken from Chris - prints were compared from Misty, Johnny, 3 deceased victims
Why not Chris. ✓

No investigative background at all - where would you most likely find fingerprints of guilty party - ruled out any entry but front door - found shells from bullets used to shoot victims:
fingerprints from shells
fingerprints from front door

Remember heat in house when police got there - victims covering themselves appeared to be cold - someone turn heater on after they were shot...

"Then I shot Mark in the head, and shot the other two in the head. Weren't all of them shot in the head?" - Horn says right

"Dead center, wasn't it?"
Dead center where? (Did Horn point to his forehead and Johnny then say in the forehead...)
(Don't know - wasn't tagged)

Went back into Chris' room and cut light on & looked at Chris - Why did Johnny not kill Chris - absolutely no reason if Johnny was killer - Chris asleep or only acting like he was asleep

According to Johnny's statement - the light in Chris' room should still be on - tv on - light in front room on - not supported by evidence when police got there - Chris got up turned inside lights out

Scott Cornelius: 612 701-2343
(512) 998-6688
(512) 998-2513

"BALLENTINE"

1611

36X32

180-185

5'10

Charles Sebastia:

(409) 277-6247

Confession 8

Houston

Horn

Talked

Search of A

#4:

door opened 6" or 7" when

who opened door

door found open when first person to find bodies goes in

4th person had been asleep...

automatic 8

3 in residence

types of ammunition bought by A: same loads - same brands...
to fire 3 rounds - in Court room

4th person searched
Fingerprints found

measurements - crawl through ect.
door walls, fourth bedroom
measurements from bodies to 4th person

Background on A...

- * psychiatrist appointed to assist in the defense of A not to perform psychiatrist opinion...
 - 1) state will have psychiatrist testify about future dangerousness - cross examine
 - 2) assist in preparing defense for future dangerousness...
- * admissibility of statements of A during first stop and search...

Discussion with D:

Background of A
parents, friends, teachers, employers, ect.

history of what he has done, where he has been
arrested

plead guilty to something you didn't do
confess to something you didn't do

when he was living when arrested day of murders,...

names of friends,...

drugs, ect.

*
* advise A to not talk to anyone without use there. Ortest, preachers
doctor, fellow inmates, psychiatrists...

3/11/99

March 22:

entire panel - $\frac{1}{2}$ at a time
no time restriction...

individual - hope 20 min. per sub
hopefully each individual goes under 1 hour.

* Friday 19, 1999 = produce evidence
* Discovery = not ruling on #64

#37 Put into jury questionnaire

#31 Get more information about costs

denied * Motions 12, 13, 14, 15, 16, 17, 18 = need ruling later
Motion 19 denied - but would consider cost change at appropriate designated time.
Motion 18 = rule later

8

Motion To Suppress Written or Oral Statements of A:

VA CCP Art. 15.17: admonishments of arraignment
request for counsel

time of arrest - cause for arrest (separate offense?)

dispatch records (Steven Harding)

Jan. 21, 1998

how many cars you
pursued in past

2:30 am

"shot fired called in" (shots)

complaint - wheel fired 22 caliber to East

2nd house

first shots were fired

D. Ferguson

Black male walking on East Seventeenth

walking in a brisk pace - over left shoulder

appeared to be nervous...

way he was dressed !!!

put down for weapons

Interview

transmission log

"in custody"

when fearful of homicide / when made request

disobeying officers involving this car.

reports

able to determine time of their deaths...

[receipt 32 caliber = local K-Mart Store
box ammunition .25

April Ryan = pagal by Δ = when did you talk to her

Conte's

ever shop there

required to keep information ... sell shells ...
date she identified Δ date sold

3 officers - 2 Houston officers left

attempt to have him identified

when Δ was arrested ...

1 hr. Smith ... (concluded 11:20 am)
have

Where Δ was not at location ...

who was with A when bought ammo
check for guns on bus lines
when A was arrested
A have gloves on when arrested

where ammunition & receipts found...
who hid their
ammunition and receipts found in Walmart sack
why did you look in sack
when was consent to search signed
when did you know A took bus out of Amrillo
do a complete search of house...

Officer
how long he was staying
Dir...
law pertaining to

* frame of reference
time & details
* certain person
don't believe so
procedure

* Not taken before a magistrate

when did he buy
shells - why
did you id.
photograph...
F435

confessions

no evidence D was ever arraigned by magistrate
arrested on
confession on what date

Houston Police Dept. procedure for taking confession - recording
Why they left him to do interview - no witnesses to confession...

Request for atty's made by Doss
D sign Miranda Warnings

time with D before recording started
what they talked about...

objection to arrest of D in Houston (failure to identify - actually
arrested for)

§ 38.02 Failure to Identify

§ 38.02(a) who has lawfully arrested the ^{person and} information the information

§ 38.02(b) lawfully defined the person

search of A's residence illegal information concerning actual purchase (by Anti)
Gifts of poisonous tree - not admissible. . . CCP Art. 38.23(a)

Conting

Horn's notes pertaining to her ID of AS gr/Perind
Noticed no scars...

copies of information in DA file that Cifly needs
Rap Sheet = Chris Caylor = May 1, 1998 = unlawfully carrying
weapon...

Tidiny

355-9574

April:

police threaten to prosecute you
what charges

concerned with the way your statement read concerned
with the wording used - sentences

bring this to Mr. Gayle's attention

ask to be provided with correction you made
when did ~~you~~ you tell police about K-Mart - witness ID
talk to John, after he left town - tell him police
were looking for him. Tell him what was in
the paper - what police had told you about
John - tell you about the threats made to you by
the police...

////

hand provided statement

when did you find out police was aware you
went to K-Mart with John

witness come to police station to identify you...
trace phone calls - following her around

PAUL HOARN:

indicate you searched John's residence
anyone else living there
locked - needed key to get in
believed John had left town
time to get search warrant

tell Mr. Manns he could give you permission to search
Mr. Manns tell you someone had been in house after he learned
of murders...

important if Mark Caylor had been involved in a shooting
dispute with someone...
know Mark was on ~~street~~ ^{hunted by Caylor} shooting bullets into
someone's house...

when you found receipt in John's house what did you do
had to look into such to find receipt.

no visible dirt around hole in floor indicating someone entered
house

interviewed John:

tell John another person in house saw him shoot the
boys

tell John April could be filed on

Mr. Means two statements - consent to search - your notes reflect consent to
April's two statements

Officer Harkin - WW on auto shells

how many times was Chris Caylor interviewed
how long was he interviewed

how long was residence and area searched for weapons and shells..

light was on porch - could you see if door was open

skid marks - indentations in concrete

dirt on road

left at high rate of speed

look for footprints at house to see if ~~anyone~~ someone left in
Johnny's direction when he was stopped

enter window

gun jammed - not working - went back in to try to kill someone
why he didn't go in front door. Back door

photograph under house - show someone under there earlier -
went back & looked for bullet - took time to go under
house...

web webs under house - dirty when you come out

Johnny said he was thirsty - got drunk - out of
ice box...

why he didn't use front door
why he went through crawl way under house
why he went through window

check Hankins report - determine how he missed gun
check photos to see if curtains were open when you could see
into rooms

check to see if Johnnie's prints were found at kitchen window
check to see if Johnnie's prints were located on door
check to see if crawl way had been used look at crime scene
photos

check to see if Johnnie could have knocked items over
request shell casings to be fingerprinted

how did Johnnie go outside to check his gun jamming
out door - came back in window

someone knocked items over by Mark's body

put clothes over crawl space after it was used - clean up and
check cab robes from house

clean his clean rag - black clothes off before officer found
him - hide bullets

closed window after he came in - straightened up any
items knocked over on kitchen

put chairs or curtains back and closed shades
Left items knocked over by Markie's body

* crawl space in bedroom closet or bathroom (according to Johnnie)

Page 8
*PH Old, Okay... Okay, so you come in... into the closet in the
bedroom? p. 9
Uh huh

how did Johnnie tell you he unjammed gun

p. 10 went back into house - unlocked the window

check to see if window could be locked & unlocked...

**p. 10 weren't all of them shot in the head
(news report indicate they were shot in head - tell April
they were shot in head)
Markus was shot dead center, wasn't it?

p. 11 went back in to look at Chris - turned light "on" - appears
light was left "on" when Chris was
check reports to see if light was "on" or "off" in Chris's
room

ask him if porch light was on when he left.
check on Smigajinks on door

p. 14 came from Walmart... going to Smith's house -
checked out house - reports reflected he knew John...
knew where John said he did

discussed April with John during the unknown 1 hr. 5 min.
part of the interview...

Johnnie appeared to be very concerned about April

as long as you assured Johnnie April ~~was~~ would not be charged
he agreed to talk to you more

"Bong" - he indicated (page 22) that he had seen all of
these boys at Markie's smoking dope

799 Chris Caylor told you John Smith was suspect; also referred to him
as John Ballentine

772 search for weapons called off at approx. 9 pm. (Montano report)
April called Johnny - John Smith
looked for weapon next day also

Prints off of shell casings

Chris Caylor's prints never taken

*303b 5 minutes officers left

"after talking to Ballentine & explaining how
investigating known he was involved, John
Ballentine did agree to give a confession"

Municipal Court Records
Kelly Bain

Carlson:
tin knocked down

Delicia Benton cart: 1607 S. Buchanan
Saw three males - white - running down alley northbound
behind her residence - approx. 10 pm

Stephanie Phillips 1620 S. Buchanan
Amanda Mitchell 1807 S. Buchanan
12:30 Saturday night
Mexican male with knit ski cap

Ames - some left in a hurry

Powers - web of left hand three dots

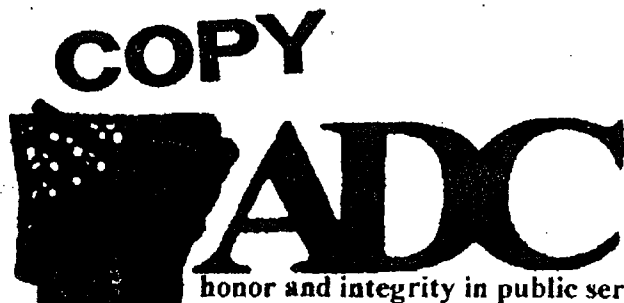
2700

Richwitzer

compared prints to Misty Caylor, D - 3 victims - not
Chris Caylor

31 01

distance between pipe and floor joist is approx. 7 1/2"
another area 10" off ground
*also looked for gun under house 8/28/98



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Arkansas Department of Correction

I, Gail Ramsey, Record Clerk
Name Title

HEREBY CERTIFY THAT THE ATTACHED DOCUMENTS ARE TRUE AND
CORRECT COPIES OF THE ORIGINAL DOCUMENT MAINTAINED IN THE
INSTITUTIONAL FILE OF:

Balentin 088326

There is an label
Vega, works for bus
station, does she need to
stay or can she go?

ture

IN WITNESS, WHE

DAY OF March

When do we need April?
She wants to know.

HIS 18th

Smith
TURE

Date of Expiration: 11-1-99

COPY



honor and integrity in public service

P.O. Box 8707
Pine Bluff, Arkansas 71611-8707
Phone (870) 247-1800
Fax (870) 247-3700
www.state.ar.us/doc

Arkansas Department of Correction

I, Gail Ramsey, Record Clerk
Name Title

**HEREBY CERTIFY THAT THE ATTACHED DOCUMENTS ARE TRUE AND
CORRECT COPIES OF THE ORIGINAL DOCUMENT MAINTAINED IN THE
INSTITUTIONAL FILE OF:**

Balentine, John ADC# 088326

Gail Ramsey
Signature

IN WITNESS, WHEREOF, I HAVE UNTO SET MY HAND THIS 18th

DAY OF March, A.D. 19 99.

Michael Smith
SIGNATURE

SEAL

Date of Expiration: 11-1-99

03/18/1999 16:11 8782473597

ADC RECORDS

PAGE 01

03/18/99
OTS0308ARKANSAS DEPARTMENT OF CORRECTION
ADMISSION SUMMARYPAGE 1
TIME 15:11

IDENTIFICATION	COMMITMENT NAME (LAST, FIRST MI)	INSTITUTION ASSIGNED	DATE RECEIVED	INMATE NO.
*****	BALENTINE, JOHN	CUMMINS	07/12/90	088326B

PHOTOGRAPH	PHOTOGRAPH	TRUE NAME (LAST, FIRST MIDDLE)					
		BALENTINE, JOHN LEZELL					
		ALIAS (AKA)					
		BROKER, BOB					
		SOCIAL SECURITY NO		DRIVERS LICENSE NO			
		429-15-4878					
PHOTOGRAPH	PHOTOGRAPH	STATE ID NO		FBI FINGERPRINT CODE	FBI NO		
		00565835		11100910151208121110	619251FA1		
		PLACE OF BIRTH		DATE OF BIRTH	SEX	RACE	
		NEWPORT, AR		01/31/69	M	BLACK	
		HEIGHT	WEIGHT	HAIR	EYES	BUILD	COMPLEXION
		5-09	156	BLACK	BROWN	MEDIUM	LIGHT BRN

*** SCARS / MARKS / TATTOOS ***

SCAR:L WRIST,R FOREARM / BIRTHMARK:UPPER R ARM

*** ENEMY ALERT ***

NAME	LOCATION	ADC NUMBER
------	----------	------------

*** ACCOMPLICES / DISPOSITION ***

NAME	LOCATION	ADC NUMBER
------	----------	------------

*** OO ESCAPES ***

WHEN	WHERE	LENGTH
------	-------	--------

03/18/1999 16:11 8702473597

ADC RECORDS

PAGE 02

03/18/99
JTS0308ARKANSAS DEPARTMENT OF CORRECTION
ADMISSION SUMMARYPAGE 2
TIME 15:11

IDENTIFICATION	COMMITMENT NAME (LAST, FIRST MI)	INSTITUTION ASSIGNED	DATE RECEIVED	INMATE NO.
*****	BALENTINE, JOHN	CUMMINS	07/12/90	009326B

ARREST AND CONVICTION :

COMM	CS/CC	ARREST	DEFENSE ATTY	STATE ATTY	JUDGE	COUNTY	PLACE ARRESTED	SENTENCE
		MM/YY						YYY/MM/DD
A	/	/			ERWIN	JACKSON		005/00/00

COUNT	DOCKET	SENTENCE	OFFENSE	GUILTY	STATUTE	FEL	SENTENCE	CS/CC	JAIL	BOND
NO.	NO.	DATE	DATE	BY		CLS	YYY/MM/DD		CR JA	DAYS
01	870006	04/03/87	12/20/86	BP	BURGLARY	B	005/00/00	/	0105	0000
02	870006	04/03/87	12/20/86	BP	CRIMINAL ATTEMPT THEFT OF PROPERTY	C	005/00/00	/01	0105	0000

COMM	CS/CC	ARREST	DEFENSE ATTY	STATE ATTY	JUDGE	COUNTY	PLACE ARRESTED	SENTENCE
		MM/YY						YYY/MM/DD
B	/A	/			ERWIN	JACKSON		005/00/00

COUNT	DOCKET	SENTENCE	OFFENSE	GUILTY	STATUTE	FEL	SENTENCE	CS/CC	JAIL	BOND
NO.	NO.	DATE	DATE	BY		CLS	YYY/MM/DD		CR JA	DAYS
01	870006	06/12/90	11/20/89	JT	ROBBERY	B	005/00/00	/	0175	0000

INNATE VERSION OF THE CRIME :

PRIOR COMMITMENTS	AGE AT FIRST ARREST	AGE AT FIRST COMMITMENT	TERMER STATUS	ARKANSAS TERMS
*****	12	18	002	B

*** CORRECTIONAL INSTITUTION CONFINEMENTS ***

FROM	TO	INSTITUTION	CITY, STATE	OFFENSE	SENTENCE
MOYR	MOYR			CODE	999Y99M DISP

*** OTHER CONFINEMENTS ***

FROM	TO	INSTITUTION	CITY, STATE	OFFENSE	SENTENCE
MOYR	MOYR			CODE	999Y99M

*** NON-CONFINEMENTS ***

FROM	TO	COUNTY	CITY, STATE	OFFENSE	SENTENCE
MOYR	MOYR			CODE	OFFENSE DISP

MILITARY SERVICE	BRANCH	WAR ZONE	LENGTH OF SERVICE	VETERANS ADMIN NO	DRAFT REG
*****	NONE	NONE	0000 (YYMM)		

TYPE OF DISCHARGE	HIGHEST RANK	SPECIALTY	AWOL	WHEN
NONE				

SUBSTANCE USE/ABUSE/DEPENDENCY	DRUG/ALCOHOL USAGE	USE AT TIME OF OFFENSE	HABIT
*****	UNKNOWN	NO	NO

03/18/1999 16:11 8702473597

ADC RECORDS

PAGE 03

03/18/99
OTS0308ARKANSAS DEPARTMENT OF CORRECTION
ADMISSION SUMMARYPAGE 3
TIME 15:11

IDENTIFICATION	COMMITMENT NAME (LAST, FIRST MI)	INSTITUTION ASSIGNED	DATE RECEIVED	INMATE NO.
*****	BALENTINE, JOHN	CUMMINS	07/12/90	088326B

SUICIDE HISTORY ;
***** ;

WHEN	WHERE	HOW
------	-------	-----

RELIGION : PREFERENCE
***** : BAPTIST

EDUCATION	CLAIMED GRADE LEVEL	GED	WRAT	BETA	PRIMARY LANGUAGE
*****	TWELFTH GRADE	Y	05.8	120	ENGLISH

FROM	TO		GRADE
MOYR	MOYR	SCHOOL	COMPLETED
		CITY, STATE	

MARRIAGE AND FAMILY	MARITAL STATUS	NO. OF DEPENDENTS
*****	SINGLE	00

LAW				
ENFORCE CONF				
HIST	HIST NAME	STREET ADDRESS, CITY	STATE	RELATION

RESIDENCE HISTORY ;
***** ;

FROM	TO	
MOYR	MOYR	STREET ADDRESS
		CITY
		STATE

EMPLOYMENT HISTORY : JOB VOTECH SKILLS
***** : TRACTOR

FROM	TO			
MOYR	MOYR	EMPLOYER	CITY	STATE
			DUTIES	REASON LEFT

EMERGENCY CONTACT	NAME	RELATIONSHIP
*****	CARRIE SMITH	MOTHER

ADDRESS	TELEPHONE NUMBER
3815 LUDWIG / LITTLE ROCK, AR	501-568-9565

DATE	INMATE SIGNATURE	INTAKE OFFICER
------	------------------	----------------

P/N 0 088326

03/16/99 14.49.51

IISO008

INMATE TIME COMPUTATION

PAGE 1

IISO008

***** TIME COMPUTATION CARD *****

DATE: 03/16/99

NAME: BALENTINE, JOHN

ADC NO.: 088326B

LOCATION: UNKNOWN

HOUSING: UNKNOWN

CLASS: I-P AS OF 02/22/93

YOU HAVE BEEN COMMITTED TO THE ADC TO SERVE THE FOLLOWING SENTENCES.
THE RELEASE DATES LISTED BELOW ARE ONLY A PROJECTION AND INCLUDE
ALL GOOD TIME WHICH CAN BE EARNED BASED ON YOUR CURRENT CLASS. IF ALL
PROJECTED GOOD TIME IS NOT EARNED, THESE RELEASE DATES WILL CHANGE.

CMT	OFFENSE	DOCKET NUMBER	COUNTY NAME	TOTAL SENT. YR/MO/DA	PE	JAIL TIME
A.	BURGLARY	CR-87-0006	JACKSON	5/ 0/ 0	1/3	105
A.	CRIMINAL ATTEMPT THEFT OF PROPERTY	CR-87-0006	JACKSON	5/ 0/ 0	CC 1/3	105
B.	ROBBERY	CR-89-0066	JACKSON	5/ 0/ 0	CC 1/2	179
TOTAL SENTENCE LENGTH				=====		
				5 0 0		

0102 0 088326

03/18/99 15.11.20

OTSB160

SENTENCE STRUCTURE

Q46 CY19 PAGE 001

ADC NO: 088326B NAME: BALENTINE, JOHN LEZELL

STATUS: INACTIVE

COMMIT: A NAME: BALENTINE, JOHN

WORKING DATE: 06/05/87 OTHER STATE: FOS ID NO:

CC: CS: COMMIT.STATUS: 1 IMPOSED EARLY TERMINATION DATE: _____

COUNT: 01 COUNTY: 34 JACKSON JUDGE: ERVIN

FACTOR: _____

ARREST TRACK #: _____

SL: _____ CH: _____

DOCKET NUMBER	DATE OF SENTENCE	SENTENCE BEGINS	OFFENSE DATE	GUILT INJ. BY PER.	VICTIM MINOR	TYPE WEAPON	OFFENSE STATUS
870006	04/03/87	12/19/86	12/20/86	GP N	U	N NONE	1 IMPOSE

STATUTE(S)	OFFENSE	NO.OF COUNTS	FEL. CLASS	ADC OFF.	TERMER STATUS	COUNT CS CC	BOND DAYS
412002	BURGLARY	CS 000	B	1301	01		0000

SENTENCE TYPE	JAIL DAYS	SUPERVISION YRS MOS DYS	CONFINEMENT YRS MOS DYS	TOTAL SENT YRS MOS DYS	SENTENCING ACT(S)	TC FL
SP/PR/CJ/CS/IC X	0105	000 00 00	005 00 00	000 00 00	94 825	A

PRESS PF3 FOR NEXT PAGE1

DT02:0 088326

03/18/99 15.12.47

OTSB160

SENTENCE STRUCTURE

Q46 CY19 PAGE 002

ADC NO: 088326B

NAME: BALENTINE, JOHN LEZELL

STATUS: INACTIVE

COMMIT: A NAME: BALENTINE

JOHN

WORKING DATE: 06/05/87

OTHER STATE:

FOS ID NO:

CC:

CS:

COMMIT.STATUS: 1

IMPOSED

EARLY TERMINATION DATE: _____

COUNT: 02 COUNTY: 34 JACKSON

JUDGE: ERVIN

FACTOR: _____

ARREST TRACK #: _____

SL: _____

CH: _____

DOCKET NUMBER	DATE OF SENTENCE	SENTENCE BEGINS	OFFENSE DATE	GUILT INJ. BY PER.	VICTIM MINOR	TYPE WEAPON	OFFENSE STATUS
870006	04/03/87	SEE DI17	12/20/86	GP N	U	N NONE	1 IMPOSE

STATUTE(S)	OFFENSE	NO.OF COUNTS	FEL. CLASS	ADC OFF.	TERMER STATUS	COUNT CS CC	BOND DAYS
0503201	CRIMINAL ATTEMPT	CS 000	C	3001	01	01	0000

0536103

CC

SENTENCE TYPE	JAIL DAYS	SUPERVISION YRS MOS DYS	CONFINEMENT YRS MOS DYS	TOTAL SENT YRS MOS DYS	SENTENCING ACT(S)	TC FL
SP/PR/CJ/CS/IC X	0105	000 00 00	005 00 00	000 00 00	94 825	A

PRESS PF3 FOR NEXT PAGE1

DT02-0 088326

03/18/99 15.13.36

OTSB160

SENTENCE STRUCTURE

Q46 CY19 PAGE 003

ADC NO: 088326B

NAME: BALENTINE, JOHN LEZELL

STATUS: INACTIVE

COMMIT: B NAME: BALENTINE, JOHN

WORKING DATE: 07/12/90 OTHER STATE: FOS ID NO:

CC: A CS: COMMIT STATUS: 1 IMPOSED EARLY TERMINATION DATE: _____

COUNT: 01 COUNTY: 34 JACKSON

JUDGE: ERWIN

FACTOR: _____

ARREST TRACK #: _____

SL: _____ CH: _____

DOCKET NUMBER	DATE OF SENTENCE	SENTENCE BEGINS	OFFENSE DATE	GUILT INJ. BY PER.	VICTIM MINOR	TYPE WEAPON	OFFENSE STATUS
890066	06/12/90	12/15/89	11/20/89	JT N	U	N NONE	1 IMPOSE

STATUTE(S)	OFFENSE	NO. OF COUNTS	FEL. CLASS	ADC OFF.	TERMER STATUS	COUNT CS CC	BOND DAYS
0512102	ROBBERY	CS 000	B	0301	02		0000
		CC 000					

SENTENCE TYPE	JAIL DAYS	SUPERVISION YRS MOS DYS	CONFINEMENT YRS MOS DYS	TOTAL SENT YRS MOS DYS	SENTENCING ACT(S)	TC FL
SP/PR/CJ/CS/IC	0179	000 00 00	005 00 00	000 00 00	825	B

PRESS PF2 FOR FIRST PAGE

JUDGMENT AND COMMITMENT ORDER
 IN THE CIRCUIT COURT OF JACKSON COUNTY, ARKANSAS
THIRD DISTRICT

On JUNE 12, 1990, the defendant personally appeared before the Court with legal counsel and, having been informed by the Court of the nature of the charge(s), of his constitutional and legal rights, of the effect of a guilty plea upon those rights, and of his right to make a statement before sentencing, the Court made the following findings: (check one applicable)

- ☐ Defendant voluntarily, intelligently, and knowingly entered a plea of ☐ guilty or ☐ Nolo Contendere to the charge(s) herein enumerated and acknowledged factual bases for charge(s);
- ☐ Defendant is found guilty of said charge(s) by the Court, sitting as trier of fact;
- ☒ Defendant was found guilty at jury trial.

CHANGE OF VENUE FROM: N/A DEFENDANT'S FULL NAME: JOHN LEZELL BALENTINE DATE OF BIRTH: 1-31-69 RACE: B SEX: M SID NUMBER: _____

DEFENDANT'S ATTORNEY: HENRY H. BOYCE ☐ PV ☐ AP ☒ PD ☐ SELF PROSECUTING ATTORNEY OR DEPUTY: JIM STALLCUP

There being no legal cause shown by the defendant, as requested, why judgment should not be pronounced against him, a judgment of conviction is hereby entered against the defendant on each charge enumerated and court costs assessed. The County Sheriff is hereby ordered and directed to transport the defendant to ☐ The Arkansas Department of Correction or ☐ _____ County Jail, where he is sentenced to hard labor for the term specified on each charge:

STATUTE NO.	OFFENSE	OFFENSE DATE	DOCKET NO.	COUNTS	F. M.	CLASS	SENTENCE	SUSPENDED
5-12-102	Robbery	11/20/89	8289-66	1	F	B	5 yrs	-0-

If consecutive, explain:

TIME TO SERVE AT A.D.C.: 5

OTHER SENTENCING PROVISIONS

- ☐ HABITUAL (5-4-501)
☐ FIREARM (5-4-505/16-90-120)
☐ DEADLY WEAPON (16-90-121)
☐ OTHER: _____

~~PAROLE PROVISIONS - ACT 378~~
 After 5 years (Act 378/16-93-502) The defendant knowingly and willingly consents to parole provisions.
☐ 16-93-505(1)(4) - Eligible for parole immediately
☒ 16-93-505(1)(5) - Eligible for parole at discretion

EXPLANATORY NOTES: Not sentenced under Act 378

OTHER: FINE \$ _____
 RESTITUTION \$ _____
 COURT COSTS \$ _____

☐ DEATH PENALTY

EXECUTION DATE: _____

☒ DEFENDANT INFORMED OF RIGHT TO APPEAL

BOND PROVISIONS: \$5,000.00

JAIL TIME CREDIT: 179 DAYS OR ☐ NONE

DATE <u>6/12/90</u>	CIRCUIT JUDGE (Print or Type) <u>HAROLD S. ERWIN</u>	CIRCUIT JUDGE (Signature) <u>[Signature]</u>
DATE <u>6-12-90</u>	I certify this is a true and correct record of this Court with short report of circumstances attached. <u>Don Daniels</u>	CIRCUIT CLERK/DEPUTY (SEAL) <u>[Signature]</u>
DATE <u>6/12/90</u>	I acknowledge receipt of judgment. <u>[Signature]</u>	DEFENDANT (Signature) <u>[Signature]</u>
SHERIFF'S RETURN		
DATE REL. ON APPEAL BOND	DATE RETURNED TO CUSTODY	SHERIFF/DEPUTY (Signature) <u>JUDGE ERWIN</u> DATE <u>6-13-90</u> DIV

DISTRIBUTION: White: Court File, Blue: ADC, Yellow: Sheriff's Return, Pink: Defendant, Blue: Trial Prosecutor ☒

AJD #15 2/12/87

BENCH TRIAL ☐

NON-TRIAL ☐

P-456 ☐

FILED
CLERK OF COURT
JACKSON COUNTY, ARK.

APR 3 2 21 PM '87

IN THE CIRCUIT COURT OF JACKSON COUNTY, ARKANSAS

BOOK PAGE

State of Arkansas
vs.
John Balentine

CR-87-6
Case No. CR-86-177

JUDGMENT

On April 3, 1987, comes the State of Arkansas, by Stanley Montgomery, Deputy Prosecuting Attorney, and comes the defendant, in person and by his attorney, B. Richard Allen; and the defendant being informed by the Court of the nature of the charges, a previous plea of not guilty is withdrawn and a plea of guilty, which the Court finds is freely and voluntarily made, is entered herein, pursuant to a negotiated plea, and the Court further finds that the defendant is guilty of the offenses of Count I, Burglary, and Count II, Attempted Theft of Property, a Class C felony.


Whereupon, the Court doth ask the defendant if there is any legal cause why Judgment should not be pronounced against him and the defendant replying in the negative, the Court doth sentence the defendant to a term of five (5) years in the Arkansas Department of Correction on each count, said sentences to run concurrently, and the defendant is to receive credit for 105 days spent in the Jackson County Detention Center, awaiting trial. The Court further orders that the defendant pay Court Costs in the sum of \$105.75, to be made within a period of five (5) years of the date of this judgment.

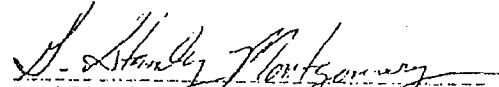
This Judgment having been made on April 3, 1987, is entered now for lien.


JUDGE

4-3-87
DATE

APPROVED AS TO FORM:

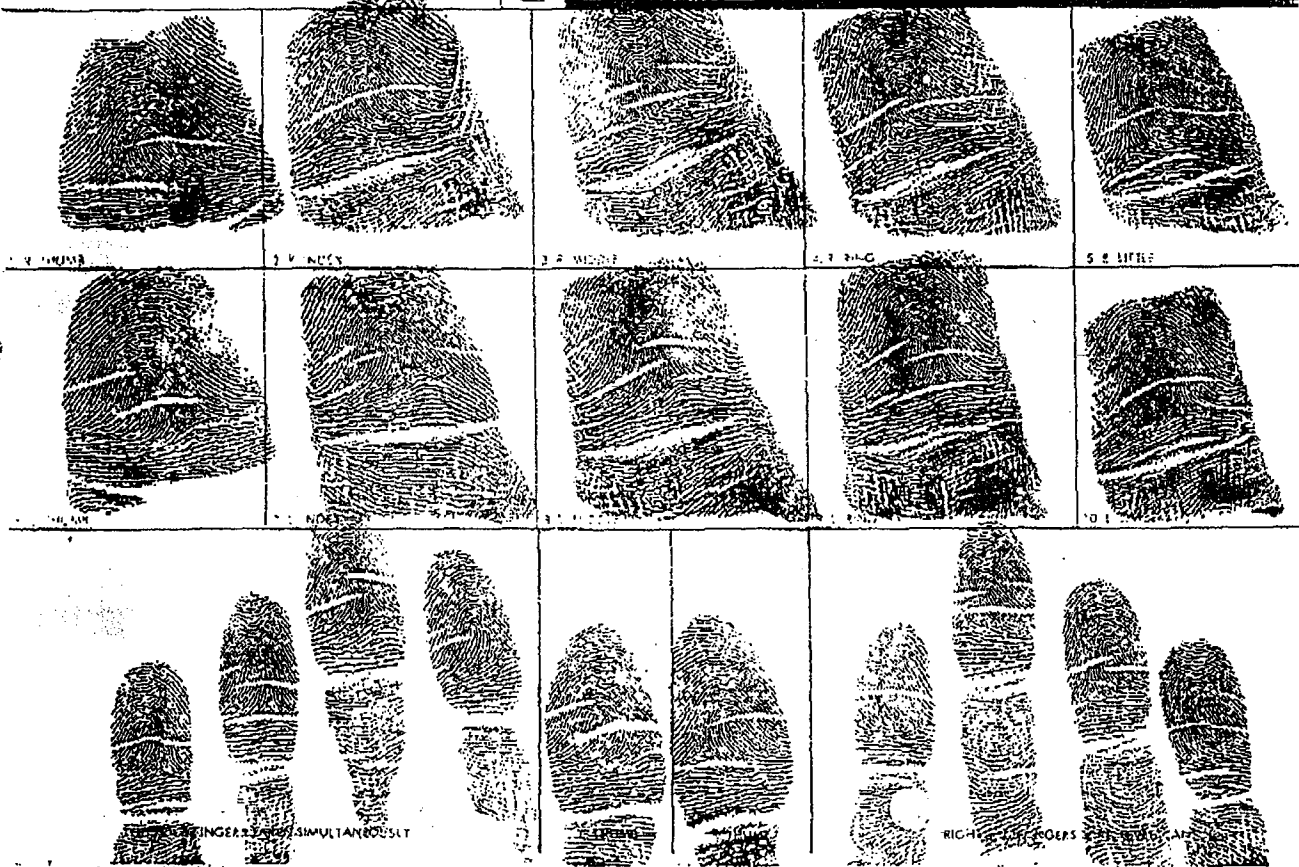

B. RICHARD ALLEN, Attorney for
Defendant


G. STANLEY MONTGOMERY, Deputy
Prosecuting Attorney

State of Arkansas
County of Jackson
I, _____, Clerk of the County of Jackson, do hereby certify that the foregoing is a true and correct copy of the original as the same appears of record in my office.
Witness my hand and the seal of said County at _____, Arkansas, this _____ day of _____, 2019.
Clerk of the County of Jackson

P-459

LEAVE BLANK		TYPE OR PRINT ALL INFORMATION IN BLACK				LEAVE BLANK	
565- R35		LAST NAME <u>NAM</u>		FIRST NAME <u>JOHN</u>		MIDDLE NAME	
STATE USAGE NEW / COMMITMENT		ALIASES		CONTRACTOR ORI AR035035C DEPT OF CORR PINE BLUFF, AR		DUPLICATE	
SIGNATURE OF PERSON INCOMPROMISED <i>John Balentine</i>		DATE APPLIED OR RECEIVED DOA 6-5-87		SEX M	RACE B	HEIGHT 5'7"	WEIGHT 182
DATE 6-5-87 STEEL		FINGER 38326		HAIR BR	SCARS BX	DATE OF BIRTH DOB 1 31 68	
CHARGE BURGLARY; ATTEMPTED THEFT OF PROPERTY		FBI NO 545-835		PLACE OF BIRTH POB NEWPORT, ARK.			
FINAL DISPOSITION FIVE(5) YEARS		SOCIAL SECURITY NO. SOC 429-18-4878		NCIC CLASS - FPC			
		CAUTION					



LEAVE BLANK <i>325-835</i>		TYPE OR PRINT ALL INFORMATION IN BLACK LAST NAME FIRST NAME MIDDLE NAME BALENTINE, JOHN		FBI LEAVE BLANK DUPLICATE	
STATE USAGE NEW COMMITMENT		CONTINUED ORI AR03501SC AR DEPT OF CORR TUCKER, AR		DATE OF BIRTH DOB 1-31-69	
SIGNATURE OF PERSON FINGERPRINTED <i>John Balentine</i>		DATE OF BIRTH DOB 1-31-69		PLACE OF BIRTH POB NEWPORT, AR	
DATE OF ARREST 12-8-87		DATE OF BIRTH DOB 1-31-69		PLACE OF BIRTH POB NEWPORT, AR	
CHARGE BURGLARY; ATTEMPTED THEFT OF PROPERTY		DCA 88326		LEAVE BLANK	
FINAL DISPOSITION FIVE (5) YEARS		SID 565835		CLASS	
		SOCIAL SECURITY NO. SOC 429-15-4878		XIF	
		NCIC CLASS - FPC			



Randy

February 3, 1990

TO: Wayne Murphy

FROM: Ron Knotts

SUBJECT: John Balantine

=====

The two deputies involved are:

Latrina Kingsbury	10pm-6am	IPC (Inmate Processing Unit) Booking/Release
Thad Olive	10pm-6am	" " "

If you need anything else, don't hesitate to call.

\memos\memo1

COPY

P-462



February 3, 1999

TO: Wayne Murphy

FROM: Ron Knotts 

SUBJECT: John Balantine

=====

The two deputies involved are:

Latrina Kingsbury	10pm-6am	IPC (Inmate Processing Unit) Booking/Release
Thad Olive	10pm-6am	" " "

If you need anything else, don't hesitate to call.

\memos\memo1

COPY

P-463

LOCKER NUMBER: PROC-B3676

NAME: BALENTINE, JOHN

SEX: M RAC: N DOB: 013069

SPN: 01673588 PRN:

DEPARTMENT

Section

n Bureau

exas 77002-1925

Initial Custody
Assessment Scale

Inm	Inmate's I.D.: (SPN)	Inmate's Date of Birth:	Date of Assessment:
-----	----------------------	-------------------------	---------------------

1. Custody Evaluation			
A	Severity of Current Offense/Conviction: <i>Use Severity of Offense Scale and rate most serious Offense/Conviction, including any Detainers or Warrants</i>	<input type="checkbox"/> 0 Low <input type="checkbox"/> 2 Moderate <input type="checkbox"/> 5 High <input type="checkbox"/> 7 Highest	7
B	Serious Offense History: <i>Use Severity of Offense Scale and rate most serious Prior Conviction</i>	<input type="checkbox"/> 0 None or Low <input type="checkbox"/> 1 Moderate <input type="checkbox"/> 4 High <input type="checkbox"/> 7 Highest	0
C	Escape History: <i>Excluding Current Offense if scored in Item "A"</i>	<input type="checkbox"/> 0 No offense for Escape, Escape Attempts, or Unauthorized Absences <input type="checkbox"/> 3 Unauthorized Absences from Community Corrections Facility or Assigned Programs <input type="checkbox"/> 7 Offense for Escape from (Secured) Custody, Felony Arrest or Jail, or Attempt of same	0
SUBTOTAL: Add categories: "A" + "B" + "C"			7
D	Institutional Disciplinary History:	<input type="checkbox"/> 0 None or Minor Disciplinary Reports <input type="checkbox"/> 3 One (1) or more Major Disciplinary Reports	0
E	Prior Felony Convictions: <i>Excluding the Current Offense</i>	<input type="checkbox"/> 0 No Felony Convictions <input type="checkbox"/> 2 One Conviction <input type="checkbox"/> 4 Two or more Convictions	4
F	Alcohol and/or Drug Abuse:	<input type="checkbox"/> 0 No Social, Economic, or Legal problems due to Drug and/or Alcohol Abuse <input type="checkbox"/> 1 Drug and/or Alcohol Abuse resulting in Social, Economic or Legal problems <input type="checkbox"/> 3 Drug and/or Alcohol Abuse resulting in Assaultive Behavior	0
G	Stability Factors: <i>Deduct Indicated Points</i>	<input checked="" type="checkbox"/> -1 Age Twenty-six (26) or older <input type="checkbox"/> -1 Employed/Attending School Six (6) months prior to Arrest <input type="checkbox"/> -1 Resided at the same address for One (1) year prior to Arrest	-1
SUBTOTAL: Add categories "D" + "E" + "F" + "G"			3
COMPREHENSIVE CUSTODY SCORE: Add all categories: "A" through "G"			TOTAL 10

2. Scale Summary and Recommendations			
A	Custody Classification Chart:	D	Override of Custody Level Recommended: <input checked="" type="checkbox"/> NO Check "Yes" or "No". If "Yes," provide a written explanation: <input type="checkbox"/> Yes:
	7 or more points on Items 1-A, 1-B or 1-C Maximum Custody 11 or more points on Items 1-A through 1-G Maximum Custody 6 to 10 points on Items 1-A through 1-G Medium Custody 5 or fewer points on Item 1-A through 1-G with Detainers or Warrants Medium Custody 5 or fewer points on Items 1-A through 1-G Minimum Custody	E	Recommended Custody Level: <input checked="" type="checkbox"/> Maximum Custody <input type="checkbox"/> Medium Custody <input type="checkbox"/> Minimum Custody
B	Custody Level: (Based on the Custody Classification Chart) <input checked="" type="checkbox"/> Maximum Custody <input type="checkbox"/> Medium Custody <input type="checkbox"/> Minimum Custody	F	Signature of Assessment Staff Member: <i>and Date of the Assessment</i> <i>[Signature]</i> 5575 Date: 7-24-98
C	Special Management Concerns: (Check all the apply)	G	Supervisory Review of Override: <i>Check whether the Override of Custody Level is Approved or Disapproved. If it is Disapproved, provide a written explanation.</i> <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved:
	<input checked="" type="checkbox"/> Protective Custody <input checked="" type="checkbox"/> Psychological Impairment <input checked="" type="checkbox"/> Escape Threat <input checked="" type="checkbox"/> Mental Deficiency <input checked="" type="checkbox"/> Serious Violence Threat <input checked="" type="checkbox"/> Known Gang Affiliation <input checked="" type="checkbox"/> Substance Abuse <input checked="" type="checkbox"/> Known Management Problem <input checked="" type="checkbox"/> Suspected Drug Trafficker <input checked="" type="checkbox"/> Suicide Risk <input checked="" type="checkbox"/> Medical <input checked="" type="checkbox"/> Physical Impairments <input checked="" type="checkbox"/> Juvenile <input checked="" type="checkbox"/> Other		Final Custody Level: (Check One) <input type="checkbox"/> Maximum Custody <input type="checkbox"/> Medium Custody <input type="checkbox"/> Minimum Custody
	Notes:		Signature of Supervisor: (and Date of Override Review) <i>X</i> Date:
		H	Recommended Housing Assignment: P-464

***** ORIGINAL INQUIRY : ***** INQUIRY - ORIGINAL INQUIRY NOT SAVED*****

 020:53:57:4444 REPLY :
 07/24/98 20:51:25 NLO1A0H KCT2.ND RECORD FILE
 JH.1X1010040
 NAM/ROWE,JOHN.SEX/M.RAC/D.DOB/013069.
 PUR/C
 EQ/DUFREE,CECIL DEPUTY.OPR/DUFREE,CECIL DEPUTY

***** ORIGINAL INQUIRY : ***** INQUIRY - ORIGINAL INQUIRY NOT SAVED*****

 020:54:04:4444 REPLY :
 07/24/98 20:51:31
 /LO1A0H KCT2
 X1010040
 HIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
 INQUIRY ON NAM/ROWE,JOHN SEX/M RAC/D DOB/19690130 PUR/C

NAME	FBI NO.	INQUIRY DATE
ROWE,JOHN CLARENCE	879143NA2	1998/07/24
SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR BIRTH PLACE		
M W 1967/01/30 509 170 BLU BLN NEW YORK		

 FINGERPRINT CLASS
 M PI PI PM 00
 1 PI PM PI 13
 AN APPROXIMATE FINGERPRINT CLASSIFICATION HAS BEEN GIVEN TO FINGER(S)
 3 DUE TO INABILITY TO OBTAIN SUFFICIENT RIDGE COUNTS OR TRACINGS.
 ALIAS NAMES
 ROWE,JOHN C

OTHER	SCARS-MARKS-
BIRTH DATES	TATTOOS SOCIAL SECURITY
969/01/30	TAT R HND 530-68-8489
	TAT L HND

 IDENTIFICATION DATA UPDATED 1997/12/09
 THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE
 FOLLOWING:
 FBI - FBI/379143NA2
 THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION
 INDEX BY USING THE APPROPRIATE TRANSACTION.
 ND

AGENCY CASE-850743 NAME USED-ROWE, JOHN C
CHARGE 1-POSS STLN VEH F
ARRESTED OR RECEIVED 1997/06/10
AGENCY POLICE DEPARTMENT NORTH LAS VEGAS (NV0020200)

AGENCY CASE-MF50256 NAME USED-ROWE, JOHN C
CHARGE 1-ATTEMPTED BURGLARY-AUTO-F
ALL ARREST ENTRIES CONTAINED IN THIS FBI RECORD ARE BASED ON
FINGERPRINT COMPARISONS AND PERTAIN TO THE SAME INDIVIDUAL.
THE USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR
OFFICIAL USE ONLY AND MAY BE USED ONLY FOR THE PURPOSE REQUESTED.
END OF RECORD

***** ORIGINAL INQUIRY : **EACH INQUIRY : ORIGINAL INQUIRY NOT SAVED**

 P21:37:47:444+ REPLY :

7/24/98 21:35:12

LOIAUH KCS2

X1010070

IN/CLARK, ROY

HIS RECORD IS BASED ONLY ON THE FBI NUMBER IN YOUR REQUEST-879148NA2.
 BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
 SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

- FBI IDENTIFICATION RECORD -

WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE
 DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE FBI.

NAME	FBI NO.	DATE REQUESTED
OWE, JOHN CLARENCE	879148NA2	1998/07/24

EX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	BIRTH PLACE
W		1967/01/30	509	170	BLU	BLN	NEW YORK

FINGERPRINT CLASS

M P1 P1 PM DD

I P1 PM P1 IS

N APPROXIMATE FINGERPRINT CLASSIFICATION HAS BEEN GIVEN TO FINGER(S)
 3 DUE TO INABILITY TO OBTAIN SUFFICIENT RIDGE COUNTS OR TRACINGS.

-ARRESTED OR RECEIVED 1991/10/12

AGENCY-POLICE DEPARTMENT NORTH LAS VEGAS (NV0020200)

AGENCY CASE-MF50256

CHARGE 1-BURGLARY-F

-ARRESTED OR RECEIVED 1994/01/04

AGENCY-LAS VEGAS MET PD LAS VEGAS (NV0020100)

AGENCY CASE-850743

CHARGE 1-U/INFL CONT SUBS - F

-ARRESTED OR RECEIVED 1994/02/16

AGENCY-LAS VEGAS MET PD LAS VEGAS (NV0020100)

AGENCY CASE-850743

CHARGE 1-BURGLARY-2ETS-F

CHARGE 2-POSS BURG TOOLS-GM

-ARRESTED OR RECEIVED 1994/09/12

AGENCY-DEPARTMENT PRISON CARSON CITY (NV0180350)

AGENCY CASE-43347 NAME USED-ROWE, JOHN L

CHARGE 1-BURGLARY

COURT-

DISPOSITION-

CHARGE-BURGLARY

SENTENCE-

3 YEARS

-ARRESTED OR RECEIVED 1996/10/07

***** ORIGINAL INQUIRY : **CEN INQUIRY - ORIGINAL INQUIRY NOT SAVED**

21:37:40***** REPLY :

7/24/98 21:35:07

01ADH KCB2

01010040

IS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
CORD REQUEST FOR FBI/879148N02. THE FOLLOWING WILL RESPOND TO YOUR
AGENCY:

FBI FBI/879148N02

AD

```

***** ORIGINAL INQUIRY :- **CLF INQUIRY - ORIGINAL INQUIRY NOT SAVED**
*****
21:37:37:4444  REPLY :
7/20/98  21:35:04  NEO1A04H KCS2.NO RECORD TUE
N.LX1010040.FBI/879148NA2.FUR/C.AIN/CLARK, RUY
*****

```


Inmate Processing Flow Verification

FUNCTION PERFORMED	DATE	TIME	LOCATION	EMPLOYEE CODE
Blind Booked from Clinic or Hospital	7/20/18	1345		6384
Booked	7/20/18	1345		6384
Fingerprinted / Photo				6384
Pre-Trial Interview				6384
Showers				6384
Medical / CXR	7/24/18	1918	12	730
Medical / Screening	7/24/18	1919	12	2182
Pulled for PCC				
Returned from PCC				
Pulled for County / Dist. Courts				
Returned from County / Dist. Courts				
Removed for Medical Emergency				
Returned from Medical Emergency				
Classification				
ATW				
Other (Specify)				



HARRIS COUNTY SHERIFF'S DEPARTMENT
Detention Command
1301 Franklin Street Houston, Texas 77002-1978

Inmate's Name: POWE, JOHN		SPN: 01673589	Race: B	Sex: (M) F	Facility: IPC	Cellblock: RELEASE
Offense/Incident: ASSAULT ON PEACE OFFICER						Code:
Date: 7-31-98	Time: 0500	Location: IPC / RELEASE			Confirmation of Service? Yes <input type="radio"/> No <input checked="" type="radio"/>	
Inmate Injury? Yes <input type="radio"/> No <input checked="" type="radio"/>	Inmate's Name, if different from above:		Describe injury: NO INJURY	Trans. to Clinic? Yes <input type="radio"/> No <input checked="" type="radio"/>	Refused Treatment? Yes <input type="radio"/> No <input checked="" type="radio"/>	M.H.M.R.A. Ref.? Yes <input type="radio"/> No <input checked="" type="radio"/>
Staff Injury? Yes <input checked="" type="radio"/> No <input type="radio"/>	Staff Member's Name: OLIVE, THAD		Describe injury: CUT LIP (LOWER)	Trans. to Clinic? Yes <input type="radio"/> No <input checked="" type="radio"/>	Refused Treatment? Yes <input type="radio"/> No <input checked="" type="radio"/>	E-1 Completed? Yes <input checked="" type="radio"/> No <input type="radio"/>
Class. Notified? Yes <input type="radio"/> No <input checked="" type="radio"/>	Classification Deputy:		Time:	Inmate Transfer? Yes <input type="radio"/> No <input checked="" type="radio"/>	Transferred to:	
INMATES INVOLVED				STAFF INVOLVED		
Inmate's Name: W C		SPN:	Cellblock:	Staff Member's Name: DEP. KINGBERRY	Badge/I.D.#:	Shift: III
Inmate's Name: W C		SPN:	Cellblock:	Staff Member's Name:	Badge/I.D.#:	Shift:
Inmate's Name: W C		SPN:	Cellblock:	Staff Member's Name:	Badge/I.D.#:	Shift:

STAFF MEMBER'S NARRATIVE

ON 07-31-98 AT APPROX. 0500 HRS. I DEP. T. OLIVE WAS WORKING RELEASE/PRINTS AT IPC. THE LISTED INMATE WAS BEING RELEASED TO PORTER CO. SO. THE INMATE BECAME UNCOOPERATIVE WITH DEP. KINGBERRY DURING THE RELEASE PROCESS. DEP. KINGBERRY LIFTED HER HAND AND POINTED AT THE INMATE WHILE TELLING HIM WHAT HE NEEDED TO DO. THE INMATE PUSHED DEP. KINGBERRY'S HAND AWAY. I WALKED UP BEHIND THE INMATE AND PULLED HIS HANDS DOWN. THE INMATE THEN TURNED AROUND TO HIS RIGHT AND STRUCK ME ONCE WITH A CLOSED FIST CAUSING A CUT ON RIGHT SIDE OF MY LOWER LIP. THE INMATE WAS TAKEN TO THE GROUND AFTER A BRIEF STRUGGLE AND HAND CUFFED BEHIND HIS BACK. THE INMATE WAS THEN TAKEN TO THE IPC. PROCESSING AREA AND SEARCH. AFTER THE SEARCH THE INMATE WAS RELEASED TO THE PORTER CO. SO. IN GOOD HEALTH AND WITHOUT ANY FURTHER INCIDENT.

THE STATE OF TEXAS § IN THE DISTRICT COURT
VS. § OF HARRIS COUNTY, TEXAS
John Balentine §

AFFIDAVIT

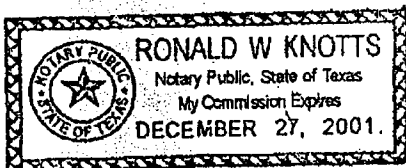
BEFORE ME, the undersigned authority, personally appeared LARRY YATES, who, being by me duly sworn, deposed as follows:

My name is LARRY YATES. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated.

I am the custodian of the records of the Harris County Sheriff, Inmate Classification Records, Houston, Texas. Attached hereto are records from the Harris County Sheriff, Inmate Classification Records, Houston, Texas. These said records are kept by the Harris County Sheriff, Inmate Classification Records, Houston, Texas in the regular course of business and it was the regular course of business of the Harris County Sheriff, Inmate Classification Records, Houston, Texas for an employee or representative of the Harris County Sheriff, Inmate Classification Records, Houston, Texas, with knowledge of the act, event, condition, opinion, or diagnosis recorded, to make the record or to transmit information thereof to be included in such record, and the record was made at or near the time of the matter or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original.

Larry D. Yates
AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 3RD day of FEBRUARY, A.D., 1999.



[Signature]
NOTARY PUBLIC in and for the
STATE OF TEXAS

FI #: 5399

AMARILLO POLICE DEPARTMENT
FIELD INTERVIEW

01-21 0240AM 98 Hardin #207
 Date Time Year Officer #1 Officer #2
 LOCATION: 1700 S. Buchanan 41 Suspicio
 Address Direction Street Name Type Apt. # Beat # Keyword (Your choice)

REASON / CONTACT: (Circle only one) 01 - Suspicion 02 - Vandalism 03 - Alcohol Related 04 - Traffic Related
 05 - Prostitution 06 - Carrying an Object 07 - Isolated Area 08 - Around Residence 09 - High Crime Area
 10 - Fits Description of Subj at Crime Scene 11 - Fits Description of Subj At Muster 12 - Attempting to Run 13 - Gangs/Gang Related
 14 - Ritualistic/Occult 15 - Homicide 16 - Rape 17 - Robbery 18 - Burglary 19 - Stolen auto 20 - Theft 21 - Curfew 99-Misc

VEHICLE:
 Year Make Model Serial/VIN# Style (2 Door, 4 Door, PU, etc.)
 License plate # (full or Partial) State Year Color/Shade (top) Color/Shade (Bottom)

Vehicle Condition/Characteristics:

INDIVIDUAL #1 Smith John Lezell
 Last Name First Name Middle Name
 Alias/Nickname:
 Last Name First Name Middle Name
 404 S. Virginia St. Amarillo TX.
 Street Number Dir Street Name Street Type Apt. # City State
 Mechanic Phillips 66 B M 01-31-69
 Place of Employment Home Phone Number Work Phone Number Race Sex Dob
 5'8" 160 Black Brown mustache Dark Slim N
 Height Weight Color of Hair Color of Eyes Facial Hair Complexion Build Glasses? ID Type Number State
 429-103-7848 Upper Lip
 Social Security Number Scars / Marks Tattoos
 Artificial Parts Missing Limbs Deformities
 Grey Black Blue Jeans Brown Loafers
 Hat / Color Coat / Color Shirt / Color Sweater / Color Pant / Color Skirt / Color Dress / Color Shoe / Color

INDIVIDUAL #2
 Last Name First Name Middle Name
 Alias/Nickname:
 Last Name First Name Middle Name
 Street Number Dir Street Name Street Type Apt. # City State
 Place of Employment Home Phone Number Work Phone Number Race Sex Dob
 Height Weight Color of Hair Color of Eyes Facial Hair Complexion Build Glasses? ID Type Number State
 Social Security Number Scars / Marks Tattoos
 Artificial Parts Missing Limbs Deformities

P-474

Hat / Color Coat / Color Shirt / Color Sweater / Color Pant / Color Skirt / Color Dress / Color Shoe / Color

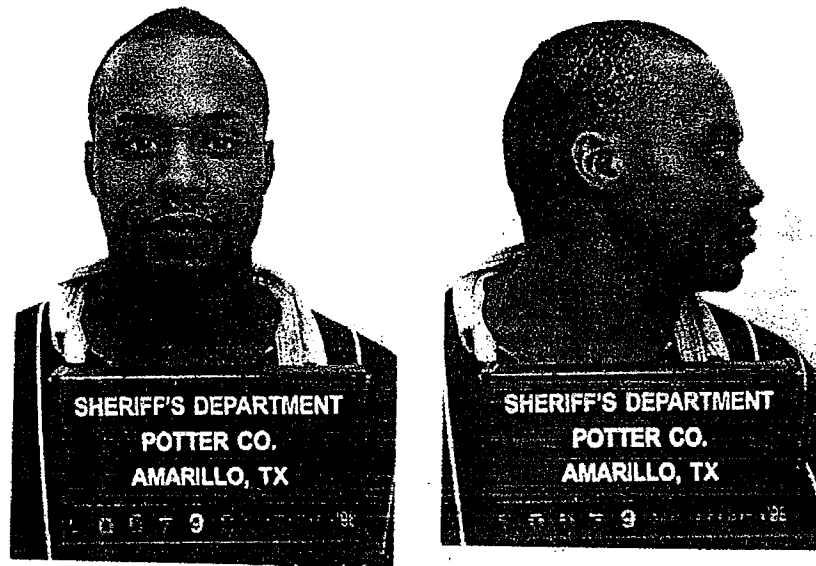
INDIVIDUAL #3

Last Name			First Name			Middle Name							
Alias/Nickname:			Last Name			First Name			Middle Name				
Street Number		Dir	Street Name		Street Type		Apt. #	City		State			
Place of Employment			Home Phone Number			Work Phone Number			Race	Sex	Dob		
Height	Weight	Color of Hair	Color of Eyes	Facial Hair	Complexion	Build	Glasses?	ID Type	Number	State			
Social Security Number				Scars / Marks				Tattoos					
Artificial Parts				Missing Limbs				Deformities					
Hat / Color		Coat / Color		Shirt / Color		Sweater / Color		Pant / Color		Skirt / Color		Dress / Color	Shoe / Color

INDIVIDUAL #4

Last Name			First Name			Middle Name							
Alias/Nickname:			Last Name			First Name			Middle Name				
Street Number		Dir	Street Name		Street Type		Apt. #	City		State			
Place of Employment			Home Phone Number			Work Phone Number			Race	Sex	Dob		
Height	Weight	Color of Hair	Color of Eyes	Facial Hair	Complexion	Build	Glasses?	ID Type	Number	State			
Social Security Number				Scars / Marks				Tattoos					
Artificial Parts				Missing Limbs				Deformities					
Hat / Color		Coat / Color		Shirt / Color		Sweater / Color		Pant / Color		Skirt / Color		Dress / Color	Shoe / Color

COMMENTS: Subject was seen walking WB to NB from area of 17th St. Buchanan where residence at 1703 S. Buchanan St. they heard shots fired. Subject had no weapons but did have a 32 Auto Bullet in his pocket. Subject clear 29 but had no ID or DL.



Balentine, John Lezell

01-31-69

CB: 98-02

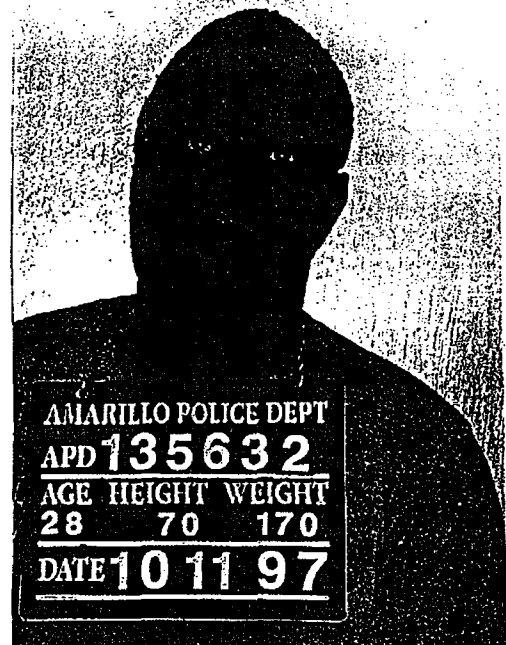
CRIME ANALYSIS BULLETIN

January 23, 1998

RE: WANTED PERSON: IR# 98-6273: HOMICIDE 510 E 17TH: 012198:

JOHN LEZELL BALENTINE

Black Male 30
DOB: 01/30/67
AKA DOB: 01/31/69
Weight: 170
Height: 5'10"
Hair: Black
Eyes: Brown
Facial Hair: Mustache/Goatee
Scar: Upper Lip
AKA: John Smith
Bob Broker
Bob Boker
APD#: 135632
FBI#: 669251FA1
SSN#: 429-15-4878
AKA SSN#: 429-13-7848
Last known address: 308 N Virginia
Vehicles: 79 Cadillac, Yellow, Tx BYS87B
Tan BMW



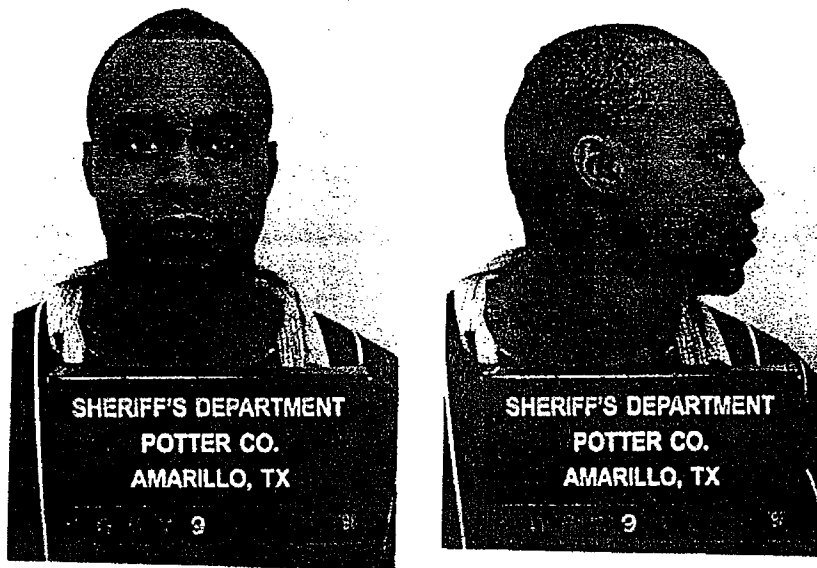
WARRANT INFO: PCSO W# 16877-E; CAPITAL MURDER
JACKSON CO SO, NEWPORT ARK W# CR96-174; AGGRAVATED ASLT

DETAILS:

Det. Horn with the Special Crimes Unit is needing assistance locating Balentine. He is wanted reference this Homicide and also wanted reference an outstanding warrant out of Newport Ark. A .32 caliber gun was used during the Homicide. Balentine should be considered 10-0/10-32. If located please notify Det. Horn or Lt Smith Special Crimes Unit 806-378-4268.

CONFIDENTIAL INFORMATION: FOR LAW ENFORCEMENT USE ONLY

P-477



Balentine, John Lezell

01-31-69

FROM: CCHW TO: AMP
 04/07/99 11:26:01
 2L01AMP F4I9I.QR.TX1880100
 PUR/C
 ATN/R FLETCHER
 PART 1

THE FOLLOWING RECORD PERTAINS TO
 FBI/764320HB2
 SID/TX06072081

BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
 SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.
 WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE
 DIRECTLY WITH THE AGENCY THAT CONTRIBUTED THE FINGERPRINTS.

TEXAS DEPARTMENT OF PUBLIC SAFETY CRIMINAL HISTORY RECORD

NAME	SID NO	FBI NO	SOC						
CAYLOR, CHRISTOPHER KIRBY	TX06072081	764320HB2	457-85-4107						
DOB	SEX	RACE	SKN	POB	CITZ	HGT	WGT	EYE	HAIR
08/06/1976	M	W	MED	TX	US	6-02	200	BLU	BLN
DL NO	STATE	ID NO							
09914074	TX								
NCIC FINGERPRINT	HENRY FINGERPRINT	AFIS FINGERPRINT							
		RLRRR							
		LALLL							

III
 S/S

IDENTIFICATION COMMENTS

ADDITIONAL IDENTIFIERS

AKA	DOB	MINU	SOC	SMT
DATE OF REPORT	DATE OF ORIGINATION	DATE OF LAST UPDATE		
04/07/1999	06/05/1998	07/29/1998		

TRACKING INCIDENT NO: 9013218229 ARREST DATE: 05-01-1998 A
 ARREST NAME: CAYLOR, CHRISTOPHER KIRBY

** ARREST **

AGENCY: TXDPS4300 DPS TLE REGION 5B

AGENCY CASE NO:

AGENCY ARREST NO: 109582

*TRS: A001 LEVEL: MSDMNR A

CHARGE:

UNLAWFUL CARRYING WEAPON

46.02(a) PC

DESCRIPTOR:

DISPOSITION: BAIL/ROR
 POTTER COUNTY

DISPOSITION DATE: 05-

REFERRED TO: TX188013A AMARILLO CA

THIS IS A SINGLE-STATE RECORD. NO ADDITIONAL CRIMINAL HISTORY
 INFORMATION IS INDEXED AT NCIC FOR OTHER STATE OR FEDERAL OFFENSES.
 UNAUTHORIZED USE OR DISCLOSURE OF THE INFORMATION CONTAINED IN THIS RECORD
 MAY RESULT IN SEVERE CRIMINAL PENALTIES.

SEE SECTION 411.085, TEXAS GOVERNMENT CODE.

END OF PART 1

CRIME RECORDS SERVICE DPS AUSTIN TX 04/07/1999

END OF RECORD

'FROM: TICH TO: AMP
04/07/99 11:22:13
NLO1AMP P4I9I.NO RECORD TCIC
NAM/CAYLOR,C

REQ. BY R FLETCHER

'FROM: NICH TO: AMP
04/07/99 11:22:17
1L01AMP P4I9I
TX1880100

NO NCIC WANT DOB/19760806 NAM/CAYLOR,CHRISTOPHER SEX/M RAC/W

REQ. BY R FLETCHER

'FROM: TICH TO: AMP
04/07/99 11:22:21
LIDRAMP P4I9I.
SEARCH ON CAYLOR,CHRISTOPHER,080676
CAYLOR,CHRISTOPHER KIRBY
WHITE M 080676 6-02 180 BLONDE BLUE
206 S PROSPECT AMARILLO 79106
DL 09914074 REST A ENDR CLASS C EXP DATE 080603
CURRENT STATUS
CLEAR

071494 FYROW---TURN LEFT CMV UNK HAZ UNK AMARILLO
071494 NO DRIVERS LICENSE CMV UNK HAZ UNK AMARILLO
071494 ACCIDENT CMV NO HAZ NO CITATION YES NON-INJURY AMARILLO
030296 NO LIABILITY INS 071896 MUN O O CMV NO HAZ NO AMARILLO
090398 UNKNOWN

*** NO WARRANT RECORD ***

***** START OUT OF STATE HISTORY *****

NO OUT OF STATE HISTORY

***** END OUT OF STATE HISTORY *****

END OF MSG

REQ. BY R FLETCHER

'FROM: CCH# TO: AMP
04/07/99 11:22:27

NLO1AMP P4I9I.QH.TX1880100
NAM/CAYLOR,CHRISTOPHER,SEX/M,RAC/W,DOB/080676.
PUR/C

REQ/R FLETCHER,OPR/R FLETCHER

TEXAS ID SUMMARY

TEXAS DEPARTMENT OF PUBLIC SAFETY COMPUTERIZED CRIMINAL HISTORY SUMMARY

SID/TX05585626

FBI/177777DB2

NAM/COLLIER,CHRISTOPHER WAYNE

SOC/458-85-9021 DOB/07-05-1976 SEX/M RACE/W ETH/N SKN/XXX POB/TX CITZ/YY

HGT/509 WGT/150 EYE/HAZ HAIR/BRO DL/

DL STATE/

ID/16915081

ID STATE/TX III/S/S

NCIC HENRY

AFIS WLARR

FPC/ FPC/

FPC/ LALL

IDENTIFICATION COMMENTS -

** ADDITIONAL IDENTIFIERS **

AKA/COLLIER,CHRIS

DATE OF REPORT/04-07-1999

TEXAS DEPARTMENT OF PUBLIC SAFETY COMPUTERIZED CRIMINAL HISTORY SUMMARY

SID/TX06072081

FBI/764320HB2

NAM/CAYLOR,CHRISTOPHER KIRBY

SOC/457-85-4107 DOB/08-06-1976 SEX/M RACE/W ETH/ SKN/MED POB/TX CITZ/US

HGT/602 WGT/200 EYE/BLU HAIR/BLN DL/09914074

DL STATE/T

ID/

ID STATE/ III/S/S

P-480

NCIC HENRY

AFIS RLRRR

FPC/ FPC/

FPC/ LALL

** ADDITIONAL IDENTIFIERS **

DATE OF REPORT/04-07-1999

END

CRIME RECORDS SERVICE DPS AUSTIN TX 04/07/1999

;

REQ. BY R FLETCHER

FROM: NICH TO: AMP

04/07/99 11:22:33

7L01AMP P4I9I

TX1880100

THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR INQUIRY ON NAM/CAYLOR, CHRISTOPHER SEX/M RAC/W DOB/19760806 PUR/C

NAME	FBI NO.	INQUIRY DATE
------	---------	--------------

CAYLOR, CHRISTOPHER KIRBY	764320HB2	1999/04/07
---------------------------	-----------	------------

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	BIRTH PLACE
-----	------	------------	--------	--------	------	------	-------------

M	W	1976/08/06	602	200	BLU	BLN	TEXAS
---	---	------------	-----	-----	-----	-----	-------

FINGERPRINT CLASS

10 CI 04 13 04

08 02 01 09 08

SOCIAL SECURITY

457-85-4107

IDENTIFICATION DATA UPDATED 1998/07/29

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:

TEXAS - STATE ID/TX06072081

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION INDEX BY USING THE APPROPRIATE TRANSACTION.

END

;

REQ. BY R FLETCHER

QUESTIONS

Defendant's background:

School
Criminal
Pleas
Violence

Persons/places-reason for being where he was when arrested by APD

Outstanding warrants

Who went to his residence next morning

Gang Activity [deceased]

Narcotics-use/sale[deceased]

Witnesses to threats made by deceased

Background of deceased-violence

Relationship with Chris


Right to arm and seek explanation

Defense (Aike) Motion:

What would influence Defendant to confess

Study based upon confessions later shown by DNA Testing that Defendant was not guilty

Voluntariness of confession issues-jury charge



Justin Curtis Oehlert (brother of Christopher Taylor)
1-16-77
3506 S. Lynette
353-7303
"Paramount Caboose"
358-4477

06/09/2011 THU 14:55 FAX

0005/023

JIM PATTERSON, PRIVATE INVESTIGATIONS
3321 East, SUITE E
AMARILLO, TX 79106
(806) 358-9979
TAX I.D # 75-1712619

April 21, 1999

Honorable Don Emerson
320th District Court
Potter County
Amarillo, TX

In re: State of Texas vs. John L. Balentine # 39,532-D
Attorney: Jim Durham

Investigation:	
3-11-99 through 4-19-99	
179 hrs. 20 mins @\$40 per hour	\$7173.20
Expenses to date, excluding phone charges:	\$ 570.95
Total Due:	\$7744.15

Thank you,

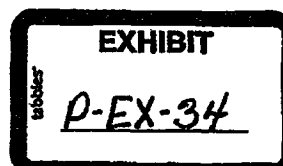
Kathy Garrison
Kathy Garrison, Inv.

FILED
CINDY GROOMER
DISTRICT CLERK

1999 APR 26 P 4:50

POTTER COUNTY, TEXAS

BY _____ DEPUTY



2011-06-09 15:00

Page 5

P-484

06/09/2011 THU 14:55 FAX

Ballentine

MO. Can
+M cell

376-4407 - call

Hardy

FAX-373.8162

P.C. 9-335-2406

Brendy W BNGR

home phone

ISABEL-Scip

Prosecutor Sean Oxt

Jim

3 11	Read				
3 12	Read				
3 17	Read				
3 18	4:00 P.M. Read Case 311		6:00 PM		2
3 19	2:00-Case Randy - Do Comp Staff		5:15 PM		3 15
3 20	1:00 PM - Comp. work. find paper		4:30 PM		3 30
3 21	8:45 - AHgt Cont. April Ryan - Comp Res -		ENO 6:30 PM		1 15
3 22	2:50 AM - April Ryan Called - (how's) off at 3:30 - kids until 5:00 PM				
	6:30 PM. dpt. 10:30 AM. To City for Order - no from Judge - to DA for pica - 12:45 PM				2 15
	6:15 AM. April w/ April - PAGO - DTG - 379-1475		10:30 AM		5 35
3 23	9:15 AM To court - letter		10:30 AM		1 15
	12:30 PM. [redacted] - [redacted] - 385-495-0871				
	Apples - 351-2810 - Angie Allen - work tomorrow Mon. Wed				
	Conf Jim. 1:50 PM		2:30 PM		2 00
	7:15 - Angie Allen		8:00 PM		45
	8:40 P.M. Call Randy - 8:45 - Case the Thomas - re case - left message				
	4:00 PM - Reaches Randy 5:55 PM - make arrangements for Ted D. Res. Court tomorrow				
	Ln. c. 9:30 - Also, meet w/ Jung Sun 8:00 PM Wed PM				
3 24	Call me. Hernandez - Comp. Searches		10:00 PM		1 20
	10:00 Call Randy - going left now - 03 Rth Call 1:15 PM - To Jim's restaurant 1:20				10
	2:20 P.M. Comp. Searches		End 3:40 P.M.		10
	3:50 PM Called P.D. Hoosier (Mead) not engaged there - called home, no				10
	answer - 4:00 PM.				
	7:30. Conf w/ Randy & Jim - re div, w/ it's, juror, etc		10:15 PM		2 45
3 25	10:25 P.M. Read letters		1:30 AM		3 05
	11:45 - Conf Randy - to let A. photo to go - flower, photos		12:30 PM		45
	1:15 To [redacted] A -		4:00 PM		3 45
3 26	4:15 Called Randy - to fix stuff to me -	4:30 - Jim - MAS Memo with only 1 -			05
	8:25 - To Kono, [redacted] through measure, etc		8:55 PM		30
	9:30 Tessa - photo		4:50 AM		20
	11:00 To [redacted] to Jim & Mary - need photo, 4 pages, etc. To P.D.'s office - no [redacted]				
	Called S.C. - [redacted] - Request [redacted] to call me w/ info - [redacted] 11:30 AM				30
	11:50 AM - Prep [redacted] 55: 12:10				20
	12:55 - Prep photo		1:45		20
	Read letters		2:15		1 00
	3:15 - Prep & some [redacted] [redacted] Photos [redacted] [redacted]		5:35		20
	4:50 Read [redacted] letter				
			3:15 PM		4 45

06/09/2011 THU 14:55 FAX

Newport, Ark.
870

3/27	10:00 AM	Play PSCS - Scott - Sat. Master P 1997 - Review Rel's, Read Ryan letters -	4:00 PM	6.00
3/28	1:30	Begin gth. photos, etc. Get Master P - Call Randy - read p's - to		
3/28	PCC7 - AMK 3:10 - Pen to In TA - leave 3:15 - Conf. Randy 5:30			2.30
	7:05	list on threat - re-read them info for 10:15, 10:00	9:50 PM	2.35
3/29	11:00	Read mid of photos, etc.	1:00 PM	2.00
	3:00	Townhouse - to area with, get gear in, get release, etc. entry, CH's, logs, etc.	3:30 PM	2.30
	9:05 PM	Begin review of material -	12:15 AM	3.15
3/30	Call Gene TRISTOC - GENE Expert - Get Newport Addr. 1:40			1.50
	4:45 PM	Call Randy - Conf	4:55	1.00
3/31	10:00 AM	Newport High School - 870-523-1321		
	Call	Callahan 870-523-1351 Re. Albright 870-523-1316		
		Newport Middle 523-1346 Newport Hosp. 870-523-6721		
		Harris Hosp 870-523-8911 - FX 523-00345-		
		Newport High School - 870-523-1321 FX - 523-1388	10:50 AM	5.00
	12:05 PM	Call Randy - Call these places for fax & info		
		Dr. Green - 870-523-9852 -		
		add. copies to Jim - re. G.D.'s, V. letter, V's IR's, etc. April 1 -	1:15 PM	1.10
	7:30 PM	Ryan letters - Comp Search Writs - list with No Conf'd Evidence	10:30 PM	3.00
4/1	10:30 AM	Play Durham letter, for release Ark. - called Phil Meacham -		
		get Melinda's no [redacted] to get info something weekend - 1701 Buchanan		
	11:30 AM	Middle School - Fax 870-523-1388 - Mr. Joe Clemons - Recs. but		
		Vicki Wilson Counselor - Scheduling Recs. - spoke with		
			3:30	5.00
	8:35 AM	Cont. Sherrill cuts -	10:40	2.05
4/2	10:20 AM	to DA's office - check file	12:50 AM	2.10
	1:15	FRESH Photos - Ordered for 4th's	3:45 PM	2.30
4/3	11:05	Call Melinda - [redacted] - follow-up to same	2:05 PM	3.00
		Call Randy -	2:20 PM	
4/4	3:55 PM	Call Davis, Monis, Caylor, etc. - No answer, moved, people have		
		these no's, now -	5:30 PM	1.35
4/5	10:00 AM	Red Newport H.S. Records - Call Newport H.S. 870-523-1321		
		Call Henderson - [redacted] - left mess - 10:50 AM		5.00
		Begin [redacted] - info men re Expert - [redacted] - give in N. York?		
		Jessie Taylor - Lincoln - New York - Schenectady, NY. - Psychology 10 PM		
		GNB Counselor - T. [redacted] GNB Trj. Case - Comp look - Expert -		
		ARK Youth Soc - 501-682-9800		
		ARK - Dale Ramsey - Red Clerk - 870-247-1500 - Main No.		
		Fax 100 for med. mental Health - Enjo's, Kamm, faxed, get info re		
		other 1 up. find GNB Expert - 2 Mail volume - Break 7:40 PM		7.00
	8:20 PM	Rebelle - Call Borden - Call Mann - get info, etc		
		Conf Randy -	10:15 PM	1.55
			5.00 12:00	1.00

1499

June

46	3:50 - Conf w/ Atty's, Durham's office. Strategy at Durham office	7:25 PM	3:50
47	9:00 - Mr. Randy assigns - try comp. locate wits to fir. in wld 9:00 AM. Crt. - Jury Sel. - to Durham, litig. tape 2. trans. Confession, etc. for 4th, 11th etc.) To office 11:20 - Gather Sub. Names - get tapes. take stuff to Randy - conf. in situation - Get rest of day	11:30 PM	2:30
48	5:30 AM - Ask about Cayton, Sr. - Conf. - Prep. list <u>all</u> wits - Attn. Owens - Sub. Names. Review with in U.S. - IR. No ties of A to - Threats - Mid. - Chatter - Chris Cayton - Moore's - Justin Decker - locate Brian Chris's Mom - Call Richie Jones - in Psych Unit The 2 officers - Chris acted weird - Amaret - Chadwick - 423 - Silence Jeff Cone - 373-3177 - 2:15 P.M. - wire case - 2:30 I'll be glad re: David Pomeroy - 21st April sat at work today -	8:00	
	2:15 - Jeff Cone - Ans. En. - Dr. John Asheney - 870-523-3515 - 2:48 PM. 3:20 PM. Crt's office - NOT AUTO. - Dr. Cone said no - Drewen - who does not - April - no know Pomeroy's name - pled up Cayton's letter Dr. Asheney's off. 870-523-3515 - Mrs. Pomeroy, only - Ronnie & Henry. only, kept record 5 yrs. do not have fax machine - mail to 2 Dogwood Drive Newport 72113 - 5:30 PM 8:00 7:00 PM. To Dub - 12:30 AM 8:00		
49	1:00 PM. Newport Jr. High - Called Jan Wright - 870-523-1346 Rpt. verbally to Jim re witness last time - Dick Wm. - talked w/ counsellor in HS - have nothing - 2:05 PM 1:15		
410	1:00 PM. - took for Brady, Pao, Moyle, Merrill, San Intero, B... & Silva 3:40 PM 2:40		
411	4:00 PM. Rpts. 1911 Jim Austin 4215 S Western 5:20 PM 1:30 7:20 PM. writing rpt 11:00 PM 4:00		
412	8:45 - Court - 12:20 - lunch 1:30 - Crt - 5:20 Conf w/ Randy, Jr., 5:45 PM 5 6:00 AM. Re. from Atty. Re. (6:30 to office - call NWS re temp. light message - 6:45 - Re-scan IR - march, Arini 10:00		
413	8:30 - Assist Atty's. 5:00 PM 7:50		
414	8:30 - To Court - 11:45 - Lunch - Drago, P... 10 min 1:15 Court - Shd. h... to Jim's off. conf. Atty's. 6:30-5:15 To office 7:40 PM. Call them - set up re-creation for 5:00 AM/10:00 AM. - wants 2 w. better for the 8:00 AM 9:00		
415	5:30 To Court - h... 12:15 - lunch 1:30 - Bryan Mc-creaty, p... 2:50 Court - Atty's 4:00 10:15		
416	5:30 - To Court - Trial Arqs - 11:50 - Jury 12:00 - Del. their Rdn 1:15 PM 1:15 4:00 Jury in - Guilty Cap Murder - Conf. w/ Randy, get Sub. 255 and 8:30 PM 1:30		
417	11:30 Begin serving subs - Find Miss Eric Williams - 6:00 PM. 6:30		
418	9:20 PM. office - Talked - det A - Search date re F... 8:15 7:00		

	Initials	Date
Prepared By		
Approved By		

all V's w/d knowing Call Party
5:00 pm

499 - 8:45 G.S. - Stab Caching 10:30 To off call all units for L.O. - arrange place Tony Brady,
Angie Allen, Tim Burton, Morris, 10:30 2:00 1:00 To call at 1:00 G.S. w/d units - 1:50
Dep. Rest Area 2:50 Turn left 2:50 PM Death S: 15 PM

5:40

9.75
10.6

37.15
50.20
81.30
10.18
179.20 =
179.20

535

0010/023

Total This Page; 143.44

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DATE 11/1/87	11/01/87

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AMARILLO, TEXAS 79106
(806) 355-0072

Phonics

2011-06-09 15:05

011/023

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94203 WESTER ICE 1X 1.99

TX @ 25% TAX 1.92

TOTAL 26.27

CHANGE 26.27

AMOUNT PAID XXXXXXXXXX0000

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CHANGE .00

MARCH 26 1999 1:05 PM

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Valentine

HASTINGS ENTERTAINMENT # 9604

2001 S. GEORGIA

AMARILLO, TX 79109

806-352-0654 03/27/1999 15:25

VELENA H. TRANS# 509619 TERM# 3

1 2 GHETTO D (R) 15.49

BTOTAL \$15.49

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170 0.05 0.00 8.50

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SUB 252.15 TX 20.80 TOT 272.95

American Express 272.95

CHG 0.00

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KATHY GARRISON
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AMOUNT: \$25.92
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NO.39,532-D

THE STATE OF TEXAS

IN THE 320TH DISTRICT CT

VS.

IN AND FOR

JOHN L. BALENTINE

POTTER CO. TEXAS

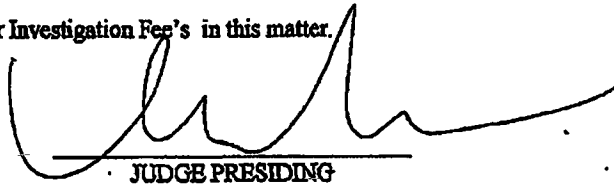
ORDER FOR PAYMENT OF COURT
APPOINTED INVESTIGATION

TO THE HONORABLE JUDGE OF SAID COURT:

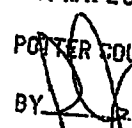
On this 24 day of April, 1999 came on to be heard Defendant's
Motion for Payment of the Court Appointed Investigator in the above styled and
numbered cause.

It is ORDERED that the County Auditor pay to Jim Patterson Investigations,

Social Security # [REDACTED], [REDACTED] Amarillo, Texas, 79106 the sum of
\$ 7744.15 for Investigation Fee's in this matter.


JUDGE PRESIDING

Copy - Auditor

FILED
CINDY GROOMER
DISTRICT CLERK
1999 APR 26 P 4:50
POTTER COUNTY, TEXAS
BY  DEPUTY

Ballentine - Randy Sherrod

3/19/99 - 1:15 P.M.

Called Randy - asking for A statement
Most imp. needs

HR's - list of witnesses not listed Evidence -
by state

1. Need to be sure prone in confession, not true -

2. Substantiated threats killing A -

3.

Alleg. to window, looked inside & saw kids
Doc. that -

Entry when he said he went in - no way he
could crawl - other thing inside -

He extremely sure if gang emblems in home
in photos -

RS. has

Randy
655.7366

Det in home -

Apts in Police Report - Exculp. Reports - one kid
at school - kid not at school because saw his friend
shot in head last P.M. - Cuyler doing drive by shooting -

Eric Smith -

* False Confessions - Ex put -

Anything to show doing drugs, threats to A -

A says has outstanding warrants - & Ariz. warrants

If A right, = gang signs

EXHIBIT

tabbies

P-EX-35

3/9/99 3:15 P.M. Balantine, Durham

Need -

1. A visit in house, except confession - ^{no gifts,} ^{where, etc.}
2. 4 people. 3 Vs, one asleep under ^{no gifts,} ^{no bag handle,} ^{no tie}
3 Vs = light coats - let me didn't wake up
3. Stop A near house, find nothing - found
1 .32 Caliber ^{prob} - A says has gun wallet
4. No forced entry - B says under house & into
house - off. did not see dist. & B in car
5. Neighbor St's - drug house - Drug St
Paul has a linguist - Doctor has folks coming up -

Visit w/ Paul - find out what we need -
gather facts -

^{AUSTIN}
Timothy Scott Allen

Carl Scott - 1801 S Bustin
School? 374-0152 - home
w/ Stephen Watson
14 you -

Lisa Childers

3/19/99

Ballentine -

Brandy Wagner - BIG LIAR - Albuquerque -
1103 S. Carolina - B - 353-3262 -

Albuquerque - used to live there

Hangin' out w/ gangs -

D.O.B. 12-7-82 -

Mom - Kelly - Corp. Systems - off prob

Dated ^{1/19/98} Joaquin - drove by on Burton Street - parkin'c

Joaquin Castillo & Villalobos - Scott p'd up on ABC -

Barbara Davis was Jeannie's daughter's Pro Office

Cordra - 27 yrs -

She dated Chaz Nettitt - B/M died car wreck.

Saw her cousin being shot in the head & lying
in Albuq. -

Had her on prob. - a year ago - Jan. 98 -

Feb. 98 - already on w/ Michelle Wright

mc 212 A. S. McMasters w/ Linda Caylor - 19m

Misty G. -

Kai Geyer - 102 Simon in Bushland - on Prob -
ref Juany - Prob. Weapons - Marijuana Poss. -
Mack Caylor - Cim Weapons - UCA, red pen.
Pen. Cont. Suburban

She hung out on 6th Street - ju Scott

Misty used to live

When did 911 log reflect shots fired call? 2:26 A.M.

Where is tape of Δ's Statement?

What did Leah Heather Sottile say in off-hand signed?

Why did Δ go to Albuquerque? (First bus out?)

Bus drive - did Δ get back on bus

Light over door on - when cops got there

Caylon shot first? Why blood not on board
for coffee table

Was TV making noise?

Pretty good shot in A

907-B A Carolina - Kimberly Cramer (Cramer)

(Saw B/M - 2-3-98 - 1:00 AM. Do you know Brandy WAGNER?)
or is Brandy Cramer (Misty's friend?) 4506 E. 17th)

Was April Ryan aware of threats to Δ?

Michael Means - 605 N. Manhattan - h. 373-8240

work - 373-5847 - Palo Alto Housing

Bridge
Call or see Ontario Smith & Angela who did he know
Call Angelique - talk to Dominique Allen
was threatening Δ?

1 To Mr. Means - 373.8240 -

4:45 P.M.

Spoke w/ Mrs. Means - to call back & ask
Electricity in house -

Is house insulated? What was on windows?

Who put up tin, etc. Was there a dog there?

How long had Misty & I been there?

Was board up over crawlspace?

What kind of heat? -

Windows latch at all? Which ones?

Where is the bar for kitchen window?

Mary Means - husband is working - will call
Sunday or Monday -

End 5:10 P.M.

Balentine - Randy

3/21/99
11:58 AM. Lew- Experts - Internet -
Church of Scientology, hates them

3/1/99 Emmy Marshall - Day mgr. VTM
 12:30 PM. knew A from Misty - worked here before
 all that happened - Thanks she quit.

D would come in to store - He never came in
 mad that Amy knew - he would buy beer -
 didn't like that often - Cannot recall mts or bruises -
 She (Misty) used to say he abused her - Could remember
 Misty would say he crazy - He seemed like he would
 snap - His actions - sometimes he would talk, seemed
 moody - however, never saw him angry in here -

Mark Clayton came in often - brought sodas & cigs -
 Marlboros she thinks - no recall of conn.

Clayton was here - Clayton Parsons - mt's friend -
 He comes in everyday - 18 or 19 yrs. - Mark came in &
 killed Philon. Clayton didn't like A, no reason -

Misty fairly reliable - friends just from work - no
 idea who baby father is -

re Sue - Clayton told them - and all three shot,
 other guy didn't hear anything - Clayton depressed,
 good friends - No recall of V.M.D saying I had -

Maybe recalls Misty splitting up - trying to hide
 from A - Misty worked 5 days per week - always sober, etc.

no work
 here anymore
 (Parson?)
 Misty
 is dead -

Ballenton

3:30 P.m. J T Meekins

Lawrence R. Wrightman

Dr. Kassir Oct. 97

Law of Human Behavior Oct 97 -

Vol 21 - #5 - 469-84

Dept of Psych - Williams College, Williamstown, Ma.

01267-

SKASSIR@williams.edu.

J McCann

4:10 P.M.

60 yrs ago
Linguist - on Confession - TAPE - has it -
analyzed it - Roger Shuy - Missoula - Mt. ^{in Italy at} MOMENT -
TECHNICAL FALSE CONFESSION - Horn gives info
Univ. of Georgetown -
Horn - 1 hr 5 min before confession -
lot of P.D.'s regu - pre Confession - INTERROGATION -
Coercion - Got some stuff

Who turned on the porch light?

10:00 pm - April Ry -
Spoke w/ Mom - left message for her to call
me

Monday

3/22/99 - 10:30 A.M. -

Photo 15 - West on S.E. corner of house.

" 16 -

18 - West window, broken blinds

" 125 - Tattoos on Watson's left leg. ?

122 - Tattoo on R. shoulder - (Thumper?)

133 & 134 - Stippling on Watson forehead

139 - Tattoos on inside left calf

140 - Tattoos - left bicep

141 - Ab. hand cuts, scrapes

142 - 3 dots on web right hand - My Crazy Life

144 - Top of left hand w/ rings & tattoos - web of hand

169 - Red shorts - Jeeper - Autopsy photos

227 -

- Caylen - " " r. hand

247-248 - Ab. Hand - Bruised knuckles? r. hand

* 250 - Left hand - Bruises on knuckles & wrist

Watson

pm

1 1:55 1/16 - Mobile home on N. side of 17th
 3/21/98 Camellia? - LNB-17H
 TXS-94J

Texas Tech Med Libron
 Anna Journal of Psychology -
 " of Comm

2:40 PM
 3/21/99

WAGNER
 Brandy - 1103 S. Carolina -
 Knew Stephen Watson - Jeff Watson is
 his brother - her boyfriend -
 Knew white Stephen Watson -
 When murder happened - Balentine not in Camellia -
 Met him a couple of times - not good friends -
 A pool hall in East Amarillo - Bangkok Cafe -
 Met him there -

Joergin Castillo knew John Balentine -
 At school - folks really sad - first 3 suicide
 The 3 boys had a lot of enemies - Hot -
 Walked around school - They sold drugs -
 Knew Mark Cayla - last year a big
 thing - big fight at bowling alley -
 Stephen & Mark at the Bowling Alley -
 Not sure how Joergin knew Balentine -
 April Ryan has younger bro & sister --
 Justin Dehler

* Knew Misty Cayla - used to kick it w/ Heather -
 Salido - Misty a friend of hers - she kind of
 mixed. ^{with} white Met her at Slim's w/ her cousin

Around Misty - got high - joints a lot, real
put head - Mark & Stephen high at school.

✓ Leah Heather Hottel So Hile -
BUSHLAND - 500 M - 2381 - UZUM - no gang -
Tatto - left hand - Butt → K Butt - K -

CS 10-269

Clayton Parson* - Check Remond
P.O. Box 168 - Bushland - Clayton Lewis Parson
DOB - 2-6-81 - no gang. - Juwaney - 1
Latha Parson - LASCOSA H.S.

3122199 - Brasier - GANG MAN - need tattoos & stuff
update

6007 Dreyfuss - till 11:30 AM
34th
Sgt. Kees - light 25th Calumet west

3/23/99 Angie Allen - tomorrow at lunch - Wed
Jues 1:15 PM.

Need 3 handwritten sheets from him -
DUNESSES/INT. Fam Bk gnd - Father Mother. Born - Schoops -
WORK History - Address W's -
Worst experience - Besides this
Best experience in life ever
Call Meems again - have for 5 days
Copy of Order

Rely on Eric's assertion,
Angie Allen - for threats -

Markie's dad - wants - can we get info as evidence -
Exculp deadline is on Sat - Penn Colony
Waggon, Atty - Spec.
Claim Corina has something to do w/ it -
H. Club -

Subp:
Jim Telling DA. we can win

M. R. J. - have a motion - Psych. to examine him
Future DANGEROUS Guy -
Brain injuries - in PAST

re: Bri-
In jt. - for burglary -
Carried abuse - Ann -
Sun - FBI - Forensic Evidence -
* What about the light porch being on?
did

State's theory - in his crotch -
Cops did not get under there -
Jury - Conf. Eval 1:50 PM

Master P -

Ev. of Guilt -
Confession -
Buying Ammo -
Flight
Ammo on body -
Incl. at scene that P.M.

Confession Inconsistent -
1. Measurement - re A able to get
2. Windows -
3. No Bullet in alley -
4. Windows - can't see in -
Lot

Get bus schedules -
City Warrants John Smith -
Went in Oct. - to Gary - but had not -
Copy of the tape Confession - get -
for expert.
Bograd - Psych. - M.R.I. done -
Need - kid stuff shrink -
Check subp. list -

People who Heard I make threats

Angie Allen - heard Markie threaten ^{Dom took A to home} A - saw a gun in his hand to get a key to a home

Terri Nizza - Markie told her he was going to kill the A. - 2 Boys w/ Markie & her home (one said - We take care of our own family)

Timothy Acet ^{August} - 1607 S. Buchanan - Guy who recognized in car - saw Markie w/ gun a week or so before, looking for A - "said A beat up my sis, I have something for him"

Justin Oehlert - On 10 of Jan. saw Misty & neighborhood kid - they beat up - A had left home. Markie got home, mad, went to look for A. Did not find him -

Chris Caylor - Ronnie (?) came in & told them Kai he'd come back to give them (Stu) a ride. Did he ever come back? - Did anyone ever lock the door? A

Misty Caylor - A was coming in Bed room window - Who is Dene - he there when A beat Misty & Dene.

Kelly Moon - Heard Markie say he was going to kill A

Chris Cite - lived at 2601 N. Grand - "160

Dominique - Talk to him re Key to Home?

Notebook says "I am going to kill the nigger -

Gene
Critic -

3:00 P.M.

Casey S. S. S.

Sgt. Hernandez *

Ballentine st

3/28/ - (Knew) people in the corner - knew one of the guys, they moved. His dog got into D's yard - Dane dog to Cherry - they ran away. Both were -
 Knew people across street - trailer - old folks, old folks w/ chain link - ladies ran built in to the room at the back.

House, 4 houses down - Can't remember his name - He worked at I-Hop - met him thru Waldo, who also worked at I-Hop - Had visited him in his apt. -
 (Knew) no others

Markie threats - Angie & the white guy who lived in apt - both said Angie said Markie had a gun & told her he'd use it on his black ass -

White guy said Markie was going to shoot D - When Angie then, Markie came out when it in his hand. -

A heard them say they hear no, read in statement - saw them walking back to house - (Carlson's) ^{only came see} back of his head

Pretty quiet in neighborhood - old folks - no road noise - noisy at 5:00 A.M. when folks start to get ready to go to work.

Night can hear music in home, no one ever complained - Markie & etel listened to West Side Connection, Singsa Rap music, In Pop, Notorious B.I.G. - D likes opera - saw on I.V. & started liking it

Windows sleep in - no noise leaks, too - no insulation

Had a fight w/ Misty & a guy - sandy brown hair, smokin dope - kid kind of racist - I & Mark talking in B.P. - trying to get Misty to come there (meth in miscen) she wouldn't come in - Mark had to leave to get weed - I to front room to talk w/ Misty - I trying to find out what problem was - Misty said you gone - I w. a little w/ April, she'd send friends over to check on John - April being slick, find out the details - This about Dec. - New Year's day, April & Carl came to get I up - April in the truck - Carl said I to stay, no problems - His clothes at Carl's re a month, still staying w/ Misty - He spent New Year's w/ April - Things not right w/ Misty - April got him a gold necklace for Xmas - I finally figured April didn't. "225. I'd Rent \$80 to week - \$100 ^{Carl says} every 2 wks - no utilities - extra 25 last week - they got up & up.

I fixed all problems w/ house - landlords didn't come to - Picked K'ken & B Room, tried to seal windows up, plastic to keep out air - front had some on it already.

The kid & I got into it because Misty bawling. Misty wrote him a letter to tell him come before 6:00 P.M. He'd been out of town & forgot - w/ Julie N. Then came over - got into it - Passed Mark on way back to Jerry's house - 45 min. later, Markie came to home - Chris, Markie, tall guy to Jerry's. Misty came w/ someone else - she told guys to go home - heard Chris laughing, & Markie said he was gonna go & Jerry kicked him out & he walked home.

Cigrie said Linda told all at Lone's, got the fuck beat out of D.

Chris mom didn't like Markie Chris mom. Sweet - didn't like Markie - she said a huddle - put Chris ⁱⁿ the hanging w/ Markie - Markie had done a drive by before D met them - Took into a lawyer's office & stole a lot of guns. Had the gun before the drive by - Heard about it from his friends who got no time - Markie made living selling drugs, stealing & plugging - had a first named Richard in San Jacinto house - we stayed by WIC on Austin, 28th house on Austin - Friend got him out, Markie stole some of his clothes cause too much stolen stuff. It there's some violence - Domestic violence a lot - no tricks, made bond ARK - In court one time - Prison violence

Liked Misty - not sure why - On med - living in a shed - Eric didn't like the way they were living - at Waldos, stayed a couple of days. Linda kept baby - Misty left & cops picked her up. No place to go - Linda found house in paper - I gave her & to rent it - Stayed at motel w/ them - all 4 of them - Misty had Cash ARK, Lone Star Card - she paid a little of sort of work - always had a job in ^{the} shop - Dec Jan 97 - w/ Carrie Hollingsworth / white & Chap. Eric Smith - NWHL - hurt back '87 - weights hurt in prison, wouldn't do anything - needed surgery

Misty checked up - Angie told I re Markie
 I guess - over at Terry's, saw her driving
 Went to Misty's a couple of times in Terry's
 car - Chris knew where I lived - saw Chris
 walking, I gave him a lift. -

Couldnt get in thru floor, too big -
 thru window, had to wake somebody up -
 Not linen - back hurt (I does not get treated now =
 extremely dangerous) Prob forgot to lock door - high I
 sleepin - probably waitin for someone else to come -
 got them up
 1st night Markie there - stole stuff from people

How much I know?
 Has he seen aff's?

A nigger - from whites, makes most -
 low class, no good piece of shit - Chris - no nigger -
 Mom got onto him one day calling white kid a
 honky - kid called him a nigger - One time a
 white guy tried to run over I in the street, speeded up -
 (Linda) Duke - KKK burned house down in neighboring
 town - tried to have rally in Newport - Nat'l South mostly
 Black came in - went to Duke's rel's there I trunk it down -
 She hates whites - He has no prob w/ white women -
 Not fond white men - Black guys bossy - white girls not
 so - In prison, dont back - wouldn't give him anythin

1 Call Y → linguist name D no.

4/13/99 Glenn Groben - Dep. Med Ex Lubbock.
Watson - Penetrating wound to head,
THC & impurities in urine

Caylor -
358-9979 - Nancy Fara - 806-256-2140 -

8:00 P.M. 5:00 P.M.
★ Need Bains - 2nd Melody, 3rd Newcomer, Spradlin - one here
★ Jim Austin - (call card) - 4245 S. Western - 354-2616 - ¹²wh. Friday's o. ¹²Denny's
★ Estell Taylor - (call 3rd Co. - okay -
★ Claudette Foster - 2411 - 3012 Julia Blvd - 371-0804
★ Ling -
working ★ D.P.L. report - re: Caylor - Check Co. Club office for 5/98 or later
U.C.W. - Arrest - 51

Arrest
Estell Taylor - Fields & Co. - 354-8555
In
Claudette Marie Foster h. 371-3557 - wh. 359-1537
2201 Corvick - Antenn Personal - 1539
in 351-0405 - no -

Jim Austin - Trying to move out of town - can't leave because
busted for a nickel bag - did 8 mos in a rehab. - Limbo
Knew John then Wally & Walter at D.H.P. - Jim & John
visited back & forth - Knew Mah & then John - went to
Brown, but I only see them -

Mark & another guy, shorter than Mark - didn't remember Mark's name - dark haired, same age - around 16 - 3 weeks prior to murder - We've gonna get that nigger - Mark pulled out a gun - he beat up my sister. Walking down the st. at Tim pulled in - Mark yelled at Tim - just talking in front of house - Mark just telling a little about & beating girl up ^{pt of testimony} - Mark upset it - & still living down there - The only thing & said, having probs & wanted out of there - Never saw & after that - never saw Markie again either - Kind of knew about the dope - he was the weed man - Knew of some acid - he & Mark talked about it - No know if Markie selling it -

After gun inc, didn't really like Markie - he acted pretty serious about it -

The one guy a one time guy - the kid didn't say anything -

The R.N. cop brought & to home - Cop said he was coming to Tim's house - Tim woke up at 2:30 am - & in back seat - no cuffs he recall or could see - I'd cop when & laid - & looked down, Tim not sure what that meant - didn't mean anything at the time -

& did not say anything about them getting him, but kind of knew & upset - Mark a bad ass, tough guy, he bragged about it. Had that attitude, "Don't mess me"

First met Markie, he was in Tim's house - playing Nintendo, came w/ & - getting along ok - didn't call him nigger - after boot camp -

Knew & ~~was~~ then - Oct. 97 mgs - knew about ^{P-516} mess -

10/29

Ballentine

J.P.

Photo Log -

Evidence Log -

Letter to Mom

Ballistics Rpt? - A.B. -

Reports - test results -

- 4624

1:30 P.M. John Lezell Valentine - Weldon, Ark. -
 D.O.B. 1-30-69 - Newport, ARK. - 30 min. from
 Jonesboro, Ark. - Lived outside of town c. 5 miles.
 Mama worked in nursing home - Arise - Daddy
 died at 1 year - Worked for U.S.P.S. - drove trucks
 after hrs. - Clean - Lyon - boy - diff father

Doris - c. 3²/₈ to Oct. 18,

John -

Breddie - c. 29 - 4/60

John - c. 28 - 5/16 wife m - 12/12/23

Eric - c. 22 -

Patrick - c. 15

Stepdad
 George Smith
 in Lyon -

Batesville, ARK - unemployed, disabled

Mouth Cancer - (Chemo. from Texas -)

His mom - Charlie Clara May Smith - stay w/ Auntie

Grandma's Rosie Creabens - 870-523-4624 ⁹¹⁸ Remmel

Only living grandparent - 70 yrs. old - B26 Morrow ^{n.p.} Dulce's _{close}

Only - 100 yrs old - 89 or 80 - 1889 -

Uncle killed self when find he had cancer.

Fraser

Lots of fam. had cancer -

Born in hospital, Dr. Green - 10 lb. 8 oz. - family
 doctor - had measles, Chicken pox, mumps, -

At 6 yrs, fell on the street, knocked out, unconscious,
 woke up in couch in front room - Stepfather there.
 Held onto back of bicycle - zigzagged - about 6 friends
 daddy carried him home.

Old enough for preschool - started at Castleberry Ede. -
 1 grade - 6²/₈ grade -
 718 J. High - New Port Jr. High & New Port Sr. High. ^{P518}

Wouldn't let play sports because she had an attitude - Momma said too clumsy - Grades weren't too good - In Ele. - grades good - Castberry to Allbright 5th grade - Mama left dad because he whoopin' on her - She & Dad met when D 7 years of age - Began getting in trouble - rebelled, didn't mind teachers - Got in juv. trouble @ 9 yrs - You & Freddie broke into a motorcycle shop - \$800 - gold necklaces, 2.25 gp. studs. got C.R. 80 - bke. 1 year probation - fine - Freddie & - Broke into R.O.T.C. w/ Freddie, Steve Aldham. A took rag for all → juv. school in Alexandria @ age 12. 9 mos. there - Boys Camp -

Saw a shrink before R.O.T.C. -

At 11 yrs - saw a shrink - Magnolia Youth Home - Newport → Batesville - 40 days - Eval. - orphan home - Shrink said he had a temper & he couldn't control it. Threatened teacher because teacher paddled him for touching girl/white in the butt - Human Resource Bldg - Psych - Lady - he talked crazy to her -

Smoked weed at Auntie's B. 7 @ 12 - all year long - then at 14 - drank whiskey - 13-16 yrs - Out school at age 16 - Dishwasher & short order cook - Newport Country Club - Jim Prince, supervisor - long gone. Nearly a year or two '85-'87 -

17 yrs - Tried to steal \$10K from Wal-Mart - Caught & cops beat him - Caged to 5 - Tucker. Ark. - Youth prison - place to change attitude - Just smile & come within else to do - Fights for people threatening - lot of gangs around there. Eric & D spent summer in L. Ark

Mostly Blacks & Whites - not white on black against each other. I just fought - Once he had some little guy came he hit first. Another guy hit him in the mouth - I called them lovers - 20 yrs ago when out -

Sat a jit arcade in Newport - one B.M., Couple of kids robbed a guy in Oct. In Nov, arrested Δ, to trial got another 5 yrs. In Cummins, Ind. Ark. - 60 days. To Vermont Unit (Verm.) 2 years 3 mos., Riceville, 60 days in the hole, many fights, white & black - back to Cummins, to Vermont → Calico Ranch in the mtns. White totally - prison pop. Stayed out paroled out 9-10 - When outside at Calico - Didn't give a damn - out at 24 yr -

Back home. Mama came - from g.f. Lisa Childers → Duke - got a little girl - about 3 yrs - in Newport
 Δ Lisa 37 - reads her mind - stayed together -

Shoulda stayed where he was - Michelle (w/7) ind. to Δ's best friend) taught him to wash. She wrote a letter, slept w/ her - got the big head, slept w/ 15 or 16 yrs, white - Sat Chgo - ^{came out of} She ran away - he called to get girl to Mama's, he went back to Duke's (Aluke stabbed him at night.) Had a warrant for Child Sugg in Augusta - Vivian Wren - told Δ she slept w/ Freddie - Δ = 6 mos, Freddie - To court, he left & went home ^(diarrhea) - in Cousin's car - Cops stopped Duke & Mama - Chad a strange feeling → to Uncle's home - wondering what to do - Came to Annville - had been here 23 times previously - short visit - w/ Freddie etc

How could he get out of Newport —
 get out w/ Rosie, 38-39 yrs — Ind Proke —
 'kidnapped' her — she hit I w/ bat — He had
 by the neck, he choked her — she passed out —
 she came to — they drove — He said "I fucked
 up" — Got 54 mi. — Cigs — she jumped out, Cops
 chased him. totaled car — jumped over the swamp,
 to Coryn's house White Co. — Jessor — drove him to
 L. Rock next day — Auntie — to Conway bar to meet the
 Amante — her in Amante Nov '76 before Thanksgiving —

Stayed w/ Will, Eric, and w/ women — some
 bad blood there — Working at Detail Shop super.
 devoted for lifting cars at PM. She — Mexican —

gone to Phillip on 10th, near Cowby rest. — oranges —

Porpo — John Page Roofing — tear off crew —

Applebee's — dishwasher / Saled bar / Steaks — found from
 smoking cigs in B. Room

Lone's — last year

Older — Newport Nursing Home — Maintenance

JOBS —

Kid CURTIS Lumber Yard — lala, wood

Mechanic —

Carpenter — Framed, painted, roofed, elect. w/,
 plumbing, etc — Can build a car or a house

C. L. Dale Borders — Newport — Davis — 2 yrs —

Mechanic in Houston — Loved me — BMW's, Mercedes
 5K to open shop — hooked up her heater, fixed car &
 sawnwood, hooked up lights — knew he ever give
 me Misty —

Met Julie D. — at Lone's — at Homeland

Plains - Misty smoking a cig - Chris C. - she on a break - Julie chick comes out - I hits on her in front of Chris - I to have fun - Chris okay - Misty had to give phone no - Told Chris, just playing - Misty didn't want I to go to Regia's house after that - Julie wanted to know who the guys were - B.F. I cousin - One time - Jerry brought Misty home I fixed mower -

Met Misty thru her friend Brandy - skinny, like any other hooker - Same Brandy his pager no - Brandy w/ Sherman - Brandy Misty paid the next day - waited till 12 midnight - had to wait till detain shop closed - When got there - they made Had beer, 1/2 bottle - went to Sherman's grandmother - drank 1/2 beer passed out, slept (no sex) w/ Misty.

Candy -

Misty on Md. w/ friends - ~~he~~ visited her there until, you beat the shit out of Brandy - for calling I a nigger - Being an asshole - That I gone, but he heard it -

Put in interview can - There was a knife, gun, called whole 911 - 8th of Maryland - Duplex - Misty just smokin weed - They did crack w/ pipe & residues - didn't see because he didn't like it. I smiled & beat him - 24 & 25 yrs - friend of Markie's - a white Cingie, Brandy her boyfriend, Cingie I checked lives there -

Misty wouldn't let I go to work because he worked too long - made I stay w/ her - Eric sold dope the game I some - Misty had Lone Star - baby 5 mos. when they dated - Billy Morgan B.M. - IDG - ^{P-522} -

1 Misty saw him from time to time - They never told who daddy was, someone told. Baby started calling him Daddy - got attacked - Misty went to jail for fighting - she & Brandy jumped another guy - Street hoodlum - Misty is poker - I roofing - Made a little bankroll - put Misty & Linda in a motel for weekend - By Phillips 66 - the one

Julie Perry across from st - 2 days - gave them money for the
Candi, home 510 E. 17th - Linda lived there ~~still~~ for
Ternoya a second, till she started bitchin' - I said "Dye"
Cone don't need this shit - Linda trying to be the money
of the house - The nigger got to go attitude
Then Linda to a friend - put \$8 Misty -

7 I roofing in summer time to fall - Dye glad him up -
Mark & Chris moved in about same time - in the
fall - sleepin in front room - bringin stolen goods, Stereos,
Erie sells weed off stuff for drugs - sold Crystal Meth / ACES -
Freddie does sold M.J., too - fog, marijuana - Misty & I never
smoked w/ him - Went w/ them, never dogged - dark
40's -

8 Looking for a job - roofing not enough to pay
bills on time - Angie helped him get a job Applebee's -
Freddie & I raised up together - Freddie saw I beat up
a couple of Freddie's - slept together, stole together -
Linda at Love's - Misty had Mama's car, g'd up I at work
She'd call at Applebee's - when do he get off? (he
shed here time for what?)

Carl Evans - had a wife - Bi - sleeping w/
everyone AIDS - died - June '98 - has stit -
of a daughter

Had John Smith warrants here -
D.L. suspended Child support - → Miss shot -
Oct. 98 No ID - Stop Sign - NO INS - Misty Manica -
Ask - KIDNAPPING - Warrant - Agg Robt -
Gen. Threat - CARNAL ABUSE Sep. 98
Crt Costs - \$500 + - 40 every 2 wks -- did not pay at all -

GANG B. -

West side - inside - Front Door - MAGIC MARKER
arrows = Gang letters = ERIC knows some of these
guys

Came w/ dope - BONG - Markie came
dope in small can w/ gang symbols on it -

FOR SALE on inside of door - there when he
came & home when he left

Deadbolt - key outside, switch in - keys to the same
lock - versatile key - Master key - in & when he moved
out Misty gave the key - made a duplicate - go -
Wal. Max - Misty signed lease - \$500, warrants out -

Freddie Best Angie - he - small -

April sleep w/ Carl - he li - had

3 or more chicks in Houston - P. 9.

8's amazed so many - guy to Borran & Grand -

Taking Trinidad chick to work. he babysat
got traffic stop -
P-524
4'00 -

Lones kids -
Markie piece of shit dumb as - B2G Guy
persona - dope - sells pot & meth.

Ballentine

3/30 - 12:30 - Newport Na's 1:00 P.M.

4:45: Randy / Conf.

3/31 - Newport High School - 870-523-1321 - 10:00 A.M.

Secy - Records Release. Folder follows them
from grade to grade - Lynette Beard -
Fax 870-523-1388 -

Do a cover letter from us - who we are, what doing etc.

No fees - Should have grades 7-12

Will not include discipline record - probably disposed
might still have grades, attendance, etc.

Newport Middle School - 870-523-1346 -
870-523-1388

K.3 Newport-Castleberry Etc - ⁹⁰⁰⁻⁸⁷⁰ 870-523-1351 - 10:25 A.M. ^{7x-}

Secy - Phyllis Concell - depends upon where he then left -

*Spoke about
10 years, school*
What is your county named?

Records will be at school he attended last

did not find right now - maybe in old records but probably gone to

→ Allbright - 46 - Janet Jiner - Fax 870-523-1388

*from
10:30 h.
Counselor
H.S.*
we're not sure, do not keep records, send on to rest of
schools - 11:45 A.M.

✓ 12:05 P.M. - Newport Hwy - 870-523-6721

Gene - Med. Records - 870-523-4437

Record

Pat Markel - on Med Recs -

supplying documentation.

Hard copy -

One clinic attached to facility -
Will need hard copy probably -
Dr. Green. \leftrightarrow Harris Hospital -
Out E.R., out patient - Pam - Bright

3/31

12:20 P.M. Harris Hosp. 870-523-8911 -

Virginia ^{Burke} Sign a release - Copying Seura does
the copying. Fax 870-523-0345

Which doctor - make containing - E.R., Clinic, etc.

Rogers Rucker possibly is mom.
Dr. Green - 870-523-9852

8K - Newport, ARK.
Have no recs. - Win 10 yrs.

John Balentine, Jr.
Recently died -

John L. Balentine - Fax -
Angeline Watson - her child named John Balentine -

Clara Smith - now treated - here seen
Fax 870-523-3583 - Paula Creamer -

Kathy Green - wife - been there 30 yrs. Tells us
anything we want to know about family - 12:35

3/31
Wed

7:30 P.M. - Call Randy - re letters to Freddie &
Eric - re Ryan letter

3/31/99 - 8:50 PM Call Randy - 655-7364

M.R. needs to be set up - Conc. - Richie Jones -
Call Carol -

Letter Timing very important -
List of those folks - who heard shots, how many, etc -
Surge in front house?

Int. Oakleaf -

Moore & RLS. May have talked w/ Chris
Int. Chris - discussion since then?

Mo - Crawled out back window

Who knew
re seeing

Drug - Neighbors, lady who had his
kid at H.S. - Andrew Douglas * 1801 S. Buckhorn &
neighbor at 1600

Carfon - Telephone Int's w/ Staci Hard -

Witnesses - complete list.

* Critical - Dang Lih -
Drug - Trues -
Get in thru them -

Look up Randy Evans -

10:30 a.m.

373-8240 - Mrs. Meas

4/1/99 - Melinda - lives in house in front -
Let her have a key - 373-0689 -
Knock

4/8/99 Bucket -
Camera.

Sape

Flashlight -

Scene Dia's -

Photos -

Check Fence w/ Len - measure it -

4/1/99 - Thursday - Balentine
Weapons found at scene - 1 Ammo

* 3 - Screw driver

CCI-22WM R HP - 28 live ruds.

CCI-22 B&W

* 1 68C Rem-22 box live ruds

CCI B&W .22 mini-mag 90 live ruds

* 6 - Gold Blum Knife

One .22 bullet

One .22 mag casing

* 7 - One stiletto, 4" blade knife

* 16 - Box UMC .25 auto amm / 41 live ruds

* 22 - Sterling .25 auto

Black mag - 6 .25 Fmg live ruds

* 27 - BB Pistol

Narcotics / Paraphernalia at Scene

#3 - Foil, glass bong, gasket maker? Plastic

baggies, glass pipe

* 4 - Foil

* 5? - Muvir

* 6 - Cig papers, screen, dugout box

* 10 - Baggies w/ tubes & foil

* 11 - Chris Caylor D.L. w/ MS residue

* 12 - 14 white puffs (in narcotics B&W ruds)

* 13 - Bowl & Bong

* 18 - Case w/ scales, baggies, black scales w/ residue,

* 26 - 2 Baggies w/ 2 grams field tested grass

Autopsy

* 47 - Watson one white paper from years

4/1/99
Thurs.

Gang Sign + Activity at Scene
Spiral Notebook w/ signed letter by
Markie Caylon - Westside, 187 / Hoover Chrip etc
WEST - Spray painted on east corner of
house -

Chris Caylon St. - listening to Master P -
(Gangsta Rap)
(Clothing - Blue - baggy?)
Gang activity - see I.R.'s all three V's -

4/1/99

Shots Fired People - in IR's -

Officer. Witnesses: Shots Fired - (on strange noises/events)

1. Betty & Andy Carlson - 1703 S. Buchanan
5 shots - called police on dispatch line
Heard shots to. S of their house - 2
2. Estelle Arnez Taylor - 1901 Buchanan - (now moved) Dog
barked & played w/ ball - unusual.
3. Russell Keller - 1706 Buchanan - Muffled bang
or shot c. late PM/early AM. - one only - directly
n. of his house
4. Carmela Riad (hus. Adolf) no shots per cops, but
Betty C. that Carmela called 911. (Across st. N. of Sean)
5. Gloria Bitela - 1619 Buchanan - awake c. 2 AM.
& dog barking near alley -
6. Margarita Ramirez (hus. Adolfo) Dogs barking c. 3 A.M.
Thumping noise for several minutes - faint voices
7. Claudette Foster - 1701 S. Buchanan ^{DOES} Q. Taylor's
gf. - woke c. 2:00 AM, 2:47 AM, 2 shots, then 7
more = h.a. track noise (3 shots)

McCaig -

Kennedy #514

Valentine

4/2/69 - Experts -

In DA's file

Broken & Lucay - Path's
 Norma Grantman & Patricia Beithold, Toxicology
 Midland - 915-561-8851
 Smithy - ~~John~~ ~~John~~ ~~John~~ - Prison violence
 Roy Murphy - Narcotics OPS - 359-475
 Gerald Wilkes - FBI - Firearms

Hardin Field Inter. Card

John Lezell Smith - 1-31-69 - Phillip. Mechanic
 Mustache - Upper Lip Scar - Grey Hat - Black coat
 Blue Jeans - Brown Loafers
 S.S. 429137848


Hardin had a .32 auto bullet in pocket, (no other comment re shell)

Newspaper -

Ashley Mitchell, → mother & other heard shots → 2-3 am
 Jim Bitela - Austin Middle School - rest of house after sat outside
 Nationwide Broadcast - A - 1-30-67 - alias DOB - 1-31-69 -
 AKA - Smith, Bob Broken & Bob Boker.

Latent Print Log -

APD Index - Misc. Folders -

<p>  SW Bell file. Texarkana P.D. Brookline Int. Summ Memphis Lasham </p>	<p> Albuq. PD. American Most Wanted Lake City P.D. FBI Files </p>	<p> Field Int. A. Jury Greyhound Harshen P.D. </p>	<p> K-Mart Little Rock P.D. Mobile Comm. Newport P.D. </p>
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Suspect's Background

Amarillo City Jail Arrest Rpt - APD # 97-99032
Pol. off. Capt. Recard. Hardin. Dispatch 2:30

Arrived 2:35 - left 3:25 - 55 min., arrived 401 S. Va & left
3:40 AM. (Prior case - 1:35 - 1:45 600 S Hamison)

In. Rpt. 98-6153 - Red call 2:26:37 - Dispatched
2:27:27 - Arrived 2:30:20 - Finished 3:26:50 -

Suspect History -

A.D.C. - P.O. Box 8707 Pine Bluff Ark - 71641-8707

Phone - 870-247-1800. Fax - 870-247-3700

Dan Ramsey, Red Club -

A.D.C. # 088326

M.O.B. - 1-31-69. AGE First Arrest 12 - First Convict 18 -

GED - Yes - 12th Grade. WRAT - 5.8 - Beta 120

2 Dependents -

Mom - Carrie Smith - 3815 Sidway - L. PARK - 501-568-9565

AKA - John C. Rowe - 1-30-69 - 530-68-8489 - LI-3067

Carnal Abuse - A 20 yrs. old or older on 10/3/96
~~did have~~ engaged in sexual intercourse or deviant sex act.
w/ another person not his spouse less than 16 yrs.

Affi. w/ Amy Morris, daughter of Robt. Morris, 1056 Hout
Lane, Newport - 523-8434

V said sex consensual - 10 times over last 3 wks. at
A's mom's house. A said yes, true - she offered & he
took her up. A was aware of V age

(In V. statement on tape - says A sneaked into her room
thru window & hid in closet under bed, etc. Later, somehow
got in backdoor & surprised her. - He wrote her letters

11/9/92

Engel. Regional Health Center in New York.

V-Rosa Miller - 2732 Carr Circle - W/F -

9-15-57- 501- 523- 5445

Witness CCH - Jim Scott ^{Austin} Allen - SS 454-95-0970 -

Poss. CS PG- 1 & 1G - 36,980-B Patten ^{DA} 3 yrs pro

Poss m.J. 1-5-98. Disp - mis B.

Alamagordo - Poss LSD to district - 9-25-96. Defd

Chris Cayton KCW - 5-1-98 - arrest -

Shonda Jensen - Drugs, Commercial Sex, liquor

Eric Q Smith - 11-5-76 - Cocaine & Con Sub - Ark

4/4/99 - 4:00 P.M. Call Kelly Bain -

467-0469 - it's new number - not Kelly Bain -

Kirstin Noel Bain. 33rd & Winkler

Fiance - Brent Howard - ~~467~~ 467-9522

Brent Howard

Mary Bergerson -

467-0469

467-0469 - had hooked up to computer

Don't know - 354-7120 - 4:10 P.M. -

over a year since they quit Dorothy - she started when they quit -

Justin Ahlert & Kelly B.T. & G.F.
who were Misty & Mark's prob. officer who
showed up 11/20/98?

Ballentine -

4/8/99 10:00 am. - R.W. H.S. recs -

Call Lynette Beard - 870-523-1321

Newark High School - 870-799-8691 -

Grades sent to Ark. Dept. of Human Services -
4-23-83 -

Jon Jack. Counselor's office - D.H.S. - Detention Center
for Juveniles in Alexander

They keep a file on every student -
Discipline file - will look for his perm. records -
So to Alexander when nothing left to do for
them -> B.A. Kios. The Jonestown murders are there

Call Alexander Ark Little Rock A.C. 501 -

Ark. Div of Youth Services - Alexander

Need full file on him - psych, med, school, discipline,
Newport - Jackson Co. Juv Prob. - 870

Ark. Div YS - 501-682-9800

At 21 their recs are destroyed then -

The court that committed him, may have recs.

is that - no med. -> Maria Harrell - nothing.

The Div. is under D.H.S. - No county offices in
this state.

Person
Recs

A.D.C. - Gail Ramsey - Adm Clerk - Pine Bluff

870-247-1800 -

Fax 870-247-3700

Adm # 088326 - 1-31-69.

First Commitment ex. 18

Do you have any more

Kent Birdsong Ballentine

4/8/99

10:38
A.M.

Del Henderson - Street savvy pretty

good
I professed Del - find thru Internet -
guil in New York - they wanted - Del passed
other guil off & robbed E. Mail -
The N.Y. guil, credible

Call Bruce Tiffin re: NY Gang Leader

Forensic Behavioural Sci. Group - 1-800-680-0705 -

700 AMJ. 713-555-1212 -

Glenn Ware, Ph.D. (713)-281-362-0718

Warren St. Gang Expert

Donain Bob Walker - S. Carolina

South Carolina Street & Prison

Columbia, S.C. 803-407-3080 or

Thru Jerry Pels - Warden G.V. - 803-732-1848

GPS Staff -

Web Site

4/15/99 - Emp. Records -
 John B. Pace
 2816 Palm
 383-6942
 Anabel - Applebee's - Lone's Truck Stop -
 John Pace Roofing - She had detail shop - ^{now at 1026} Phillips State
 Ark - Newport Dept. of Health - ^{New Oregon}
 Newport Country Club - 85-87, Newport Nursing Home
 Curtland Lumber Yard - C. L. Borden, children? Camp?
 Magnus Youth Home - saw psych there
 Batesville, MI - (Dr. H. S.)
 Human Resources - talked crazy to lady there -

870- Magnus, no. Batesville Newport
 870- Newport C.C. - 870-523-8904 Feb 523-
 Curtland Lumber - 523-523-6701
 Jackson Co Health Dept - 523-8968
^{Elderly} Newport Nursing Home - 523-8097
 C. L. Borden - 523-2597
 Jackson Co. Juv. Prob. Dept -
^{Useless} Court ~~Dept~~ - 870-523-3525
 A Comm Parish ^{Prison} - 523-4191 - Juv & Sr.

Curtland Lumber -

4/5/99

1:20 PM Jail - Red Cell - 870-247-1800 - A.D.G. -

Fax regum

870-247-9264

His Medi. Recs - Diff. Area - 870-247-~~3400~~ - Med. Recs.

Debbie Cook - 2600 - C.M.S.

Visitation - Med - Disciplinary.

She has many shd. f. priors, juts out, commutes status, offense, - can't give out visitation recs.

Per your - not sure if they have them -

Kelly Smith - wife known in

Usually mail recs out - No fee -

- Mental Health ^{Recs} - 247-2600 - Ex 661 -
On Microfilm -

Jerry Lynn on microfilm - mail it in -

In 870-247-3597 - Attn: Felicia Williams -

Put who you, mailing address - need ASO's for recs - Per Paul Admiss - Rap Sheet -

Supervisor Charley Johnson - 1-870-247-1800 ^{Ex} 424
Referred to

✓ All Mental Health - 1-870-247-2600

To - Patsy - Mental Health Only = On state comp

Teaching in -

Paroled in 93

Signed release - write a note - Fax - 870-247-0805

Debbie Cook - she contacted on reg. recs for medical

Fax 870-247-2600 Ex ^{Ex} 790 - Reg. Med. Recs -

3:30 PM - Elmer - Med. Dir. -

Roy Aragon

870-247-7365.

Diff Location

✓ Fax - 870-247-9250 Attn: Mrs. Claibourne P-540
Per memo 6/92

What would you ask Chris Co.?
What about Ronnie?

* Have one sheet - microfilm → then will
will send for hard copy

PRISON
Records

Qual. Street & Dr

Drill
Begins
3/12/98

Atrey -

Jim Austin - 4215 S. Western -

Andrew Clifton Douglas - 1301 Buchanan
mother - Elizabeth McCowen -
379-9621

Ames - Cars on sb, not on grass -
House a little smaller than orb. room -

Super: Cpl. Billy Reeves that day, 1/21/98, Ames
stood in ^{taped scene} ~~there~~, noted names of all who entered taped scene

Kelly Moon - Brandy's - 19 yrs - friends w/M.C.
Through Misty - to V's home c. 3:00 P.M. - Door open, Carrie, 22,
w/ them - 3 kids. 5 in. op. - To see Chris & Markie Caylor -
Looked down & saw blood on couch (that sick fixed) - Oh, My God,
Carrie came there - 2 girls came to get Kai - came in,
looked & said Go call cops - 1 to house around west -
* Chris walked out of the bedroom - asked Chris
what happened - he wore black jeans & a T shirt - he just
* woke up, kind of sleepy. She showed C.G. the bodies they
went outside, to a maroon, 4 don car. old? -

Before, c. 2 wks. prior, came to home & saw Misty -
Misty crying, cheek puffed / bruised - a 15 yrs kid there -
He scared, nose bleeding - a weekend, Sat? Chris C &
Justin Dehler were there - Mark & Kai & Clayton arrived later -
Mark talked to Misty - he really mad, made no threats -
said, "Get that nigger - kick his ass - Mark & Co. left -
* came back in an hr. or two - (Event happened

Kelly knew Stephen Watson from somewhere else, didn't know he knew Markie -

Def - Has 2 kids, 2 one new, 5 mos. old - ^{with} Finally said, Markie to kill Δ - saw the sign - To John from KKK - no recall of what else it said - saw sign up a day -
 * Saw sign E. a week before got killed - Misty moved out after got beat up -

* Front porch light was off, TV was off, heater was off, ceiling light off, no lights - did not turn on lights, TV, etc. Prints should be in door but cops did not take her prints to compare -

(Di: 15
 (Andrew
 left)

When Chris came out, he was fully dressed, as if leaving - He just woke up - Chris stayed calm, never got excited - Sis came up but went out to stay uninvolved because of kids - Bedroom - no sliding door, a door - 5 ft. from nearest boy -

wrote - says Chris never touched boys

Clayton, ^{Chris} Kai & Marky were the 3 who looked for John - Justin - his dad met Chris's mom - Eric - Justin's dad knows Chris well - all emotions -

State - ^{Def.} Admonish - remember facts: Knows J.V. not on & knows light not on - Someone had to turn it off later

State - Jerry Wilkerson - work in Dallas, Family Counselor - had one child, Stephen Brady Watson - last saw him 11:00 in Am on way to school. did not know V to stay P.M. w/ Cayla - (Photo admitted on Def. Obj., not w/in time of death, 13 → 15)

Def.

State - Melody Shaddix - Plainview - Teacher's Aid, emp - has 1 other child, 14 yrs - Kai Brooke Seyer - 15 yrs at death - lived in Anna - Saw Kai 11/20/98 - 5:30 P.M. - Freshman - went to Red Bud Acad. - not school that day - In Mark's to spend P.M., left w/ Stephen - Kai knew Stephen c. 1 year - grad. at 3:30 P.M. - sent Kelly Bain & Krater, dated later positively I.D. -

Def. - Kai @ Red Bud - only att'd school once a week, in month prog, sort of home school - had not att'd Cayla res. before I did not know what it was like - Kai took the bus - no knowledge to be picked up later - No know of Roxie - did it know all, met Mark before he went to boot camp - Not aware of V's history - except Boot Camp

Chris Cayla -

State: Cole. 22 yrs - Outback, dish washer - cousin to Cayla - used to be frnd. of A - met A thru Misty. A & Misty dating. no recall of when met A maybe 2 mos. before ^{with} Eric Level there 23 who - once before in summer w/ A and Misty & Baby c. 1 yr - Till Aug. He & A good friends then - He kicked out by Misty, saw A - ★ Cheat, told Misty & she did not believe. A kicked him out (?) No one moved in for a while. Mark moved in before Knox's 97 Became aware of hand flags bet A & V. Recalls inc. Misty beat up ^{P-544} Mark

Semoye

again to murder - for Christy saying, looking for a fix
there, he bleeding. Quin & Kelly, Nam - was one else
at home at the time. Wishy the day - Mark saying - getting
thump - Quin, Mark & Chris went looking for D. to
James & - Mr. wanted Quin to take him from - that is
how, hanging in don, calling D -

Def.

Butler of day is guy named Billy -

Chris went to live w/ Eric Coover - Chris moved -

Now recalls Markie threatened to kill D -

Markie blew up & went crazy - that's what w/ another

gang about 1985 - no know of Mr. in gang.

When testimony before said Ray, that is incorrect.

At night, not any - Kelly, Mark & Quin said it - on that

door - done of a murder. Barely remembered stuff. but

his statement but - Cop did in DSR fact - did

not take guards - only this st? - didn't two last trials

young - that's how north, south, speed to keep him awake.

to alleged - Mark got it - arrested it, too - kept him

up, no know of will affect - think makes paragraph -

recalled me following - Mark & Quin had the stuff -

Mark provided the stuff

that lot of people did drop, just Mark, Kelly &

Chris - a few friends - a 12 year, did drop them, too -

same 12 year who got beat up - Quin, it - just did

with 7 years

on that day - Chris called from Newark - (his

gun) Chris called from in gun, Chris handled

P. 545

weapon - Called Evan to come pick him up, Chris never saw him - no knowledge if he came or not after 12:00 A.M. - Never called cops on assault on Missy - Wasn't his deal, went w/ Mark, etc. to calm Markie -

* Kai & friend got there - Kai's friend did leave to use phone - guy in a g/lup drove up - Ronnie said he would come back - no know if he did - told cops I.V. on when he to bed, did not wake up till 2:50 (or so) next day had shoes on when he walked out of B.R. Put on shoes, hat & jacket -

Only named Δ after cop talks - tried to wake Kai - shook leg - tried to shake Watson, too, table was knocked over already - There were others in Westside 16 who wanted to harm Markie - C. says they didn't know where they lived, never saw none of em around there -

Chris had on Diko's, tied but loose - when looking for Δ, there was Mark, Justin & Chris - Mark to door alone - Mark Cowboys - Justin a blue flannel jacket, Chris a red flannel. Stephen had Steele's jacket. Kai a Cowboys - 1st time, Stephen at house -

State - Stephen's first time, no know. if Stephen used - when drug wears off, you crash, really tired - used for several days - Got gun from Evan after Misty beat up - after Brasas inc.

All windows mailed shut, except kitchen - opened 3 days before, stuff on sink, etc. - Neat disorder, stacked

Missy - Boos Markie? Markie seems -
that is then a friend - friend with her
to go out w/ A - 4/97 - began dating - moved in to
room in May of 97 - moved in together - Missy got the
key, broke things - at 18 yrs. B 28 - no one else there,
beside Cammy - the no. later Markie - got arrested, to
goes - then Chris in - he was 2 or 3 mos - got along okay -
off was agreed mutually in Chris to leave - then Mark came
back - almost think any he was going to live
the night - Mark had a threat to his family -
of him didn't stay out of business A would hurt him -
A really Missy moved out a week before me - A came
over to with things out - heat in 16 yrs day - then
friends of Mark's too - A cocaine Missy in free - then
trying to help - A left, some heat then in heat bedroom
numbers - now look at - Don't think I had any - didn't
call police, afraid - not sure why didn't call -
Mark came back later 2 yrs when - the night,
told him to live A - took Chris, Justin - gave 20 mm.
then Mark alone 5-6:30 pm the night - was then
at house, getting some of his stuff - looked w/ Mark -
Chris then -
And out from cell - a call to grand jury's house -
Henry sleep Mark - then he used meth, injin, etc - the
would eat 1 sleep a couple of days - didn't sleep in
much before for a few days -

Mark did threaten to kill her - On the 2nd, she
said / then only. She had to leave / return home later

Missy
w/ing

survived, he left - Misty saw a gun on a table in L.R.
 No know of whether weapon loaded - in plain sight -
 3/10 Could have been nailed shut - not sure - re kitchen, etc.
 at that time - no dead bolt on top, just

State - Stan Bickwartz - SCU - Crime scene tech or analyst -
 11 yrs - some odd mag. -

Durgen, Arman, Kirkwood, et al there Stan looked in to
 scene - ID on - couch, victim - chair victim, to r, (west)
 loveseat - date on photos wrong - time off n to delineate
 diff I.D. tech -

Ind. 25 - , drug para, pills, baggies, syringes, weed,
 etc. diff Val. Jax tat = meth

Kji - 25 ammo, empty baggie, - Finger scales, etc
 * Watson - no prints - may be a non-secret, = prints -
 could have handled stuff doesn't exist if no prints

Windows - Kitchen opened - semi-auto ejects casing
 Spid marks, made in turning motion,
 Dyer - behind him.

Temp at 20th - to the 21st -

wind, etc. -

100 - / 10 - 1 - 5 - 9 - num - 3
 100 - 10 PM - 100 - 1:00 AM - 5:00 AM - 9 AM - noon 3 PM

4/6/99 Clara - about to go to line to Aunt
After 12:00

I did not get along w/ Leo - John shot
up on top of house - used a gun to shoot - 2-3 yrs. ago -
Cops took I away from house - never beat each other off -
Never get along well because Leo not his did

Miller Inst. - Diaz Road - walk in of
Magna Mental Inst. - Diaz - walk in - last year high school -
all school every day - Boys Ranch in Wallenberg, Ark - only asked I guess -
3 mos. - Juvenile Ctr. Ordered - I stayed in
trouble a lot Breaking & stealing, Freddy, too

Born at Newport Hosp. 1-30-69 - Dr. Ashley -
del. retired - Family dr. - Green del. lat 2 kids
Castleberry - never held back smart Child -
6th Grade - Allbright - middle school - did good -
When he was 12 - He & Freddy got motorcycle - she
made restitution - no prob - Broke in Wal-Mart -
had some guns, tried to shoot police but it
jammed - sent to pen 1 yr. - 18 yrs. - didn't
get in no more trouble till Amantle

Ran back & forth having children - diff. moms,
3 in Newport - got in prison after that - she there, too -
Went to Calico Rock - 17-18 - no know. of why moving -
He Leggs cops w/ a chicken.

Wrote him a month ago - I in touch w/ Freddie
because in jail w/ him

10:00 P.M.

10:00 P.m. - Long expert - Steve Powers
Familiar w/ recs

A list of witnesses - Andrew Douglas -
Officer - Arrested
Staci Hand -

Chris - What saw, who saw, who he talked.

4/8/99 8:00 - 206 S. Prospect -

Sharon Lone & Linda Caylor -
Chris does not live here - Misty will not talk
to me - they have been instructed by Linda
not to talk - She will not help that bastard
for nothing. " Neither of these women will
talk either -

8:10 PM Angie 372-3783 - Stack -
DeWanda - works at IBP.

Little black - 4 door - works clean up at IBP.

8:30 P.m. - 211 S Austin - WBK-335 -

Stub - Eric not around. - some guy, Wayne
Murphy came by, last week - said Eric sub'd
but is old. - Wanted to know if he'd testify -
He is somewhere in town, she knows not where.
Eric calls her from time to time.

E. said, D w/ some guy, has some bies, going
around telling him to watch his back - Boy w/ gun -
Eric said he might be leaving to take D out of town -
When E. went down town, one time he said D

Mark the Houses - where they all

are now -

Confessed to police - No idea of D telling
Eric what happened - Haven't seen Shant
Lee in a long time -

Stacy & D didn't talk to each other much.
When D came by, pres. would leave, etc.

8:45 - 2204 W. 8th - There. has not seen
Eric -

8:55 PM. 813 S. 13th B - Francis, left and
Kelly & Carrie Moor - another baby -
moved -

9:10 PM. Kristin Bair
1013 W. 18th #3 - occupant has lived here
several mos. - does not know Kristi -

1617 - D Jim's on Buchanan - 1607 S Buchanan
SW apt
Has not lived here for 6-7 months - Black
trash & a dog

2204 W. 8th - Shaun Lee -

Ant - Summy Charles Stenberg -

Andrew Douglas -

Knew some folks before they all lived there - had never been down w/ Markie -

No recall of Stephen's mom calling that P.M. Heard about 5:30 AM → Sheldon, on Thurs

Quinn's day - talked to Corey. at Austin/Ses -

Back unit Counselor - kids who get in trouble -

Cussed off - ^{Right} then not to say much - never met S or other V's - think A should be shot -

left V's, didn't call anyone to tell bodies there -

Sten had lots of friends - better not leave 9:45 P.M. A unprotected -

9:55 P.M. - Mgr. Arthur Graves - Allen Graves ^{AWARD}
Jim Austin? ^{prog.} Would? Used to look here?

Jim gone for 3-4 months - a few mos. ago, he came in, just got out of drug rehab - heard at Clinic Garden. not eligible for re-hire here - walked out on a shift - He was a mgr. here for a few months - Dead server - Had a black truck - Wald Wyatt - just got married, but still around

Peggy Brady

Met Misty when she dated a black guy - 3602 N. E 17th dated anyone she could. Tony felt sorry for Markie - had no friends. Linda came over, tried to cow. Peggy she was a dickie.

Kevin - Intern Ingram's - mom called the other day -

One time w/ Markie, a kid got pistre-whipped - Barfield (Bob) knows who it was

X Tony - Me & Kevin Ingram - heard a knock on the door - something told him it was Markie - they grabbed some sticks - Kevin looked out window - saw Mark w/ the gun - didn't start firing till 5 min later - on 911 w/ a gun, & she heard the shots -

Had been friends - Tony got into VSL XVI - Kevin called & Mark called one of their friends a nigger - Markie came in & pistol whipped the guy named Jason - Misty there, too - but Jason became Jason had a gun - he pulled it out, said to Markie - need to leave - Markie & Misty, a guy & a black guy - they came up w/ a rifle, beat up Jason - Black guy got into his face - 3 men. prior to the shooting -

Markie broke the window 2 wks before - Tony w/ XVI - didn't like Tony then

Jim was a .22 or so - Chrome - had probe
 at Ingram because Jim's friend - shot
 thru Peggy's bedroom. Cop there 20 min. later
 Heard 3 shots, glass breaking.

467-9219 - no longer employed at Sonic-Wal

Will need a ride.

Markie hooked on crank, more than
 sold it - tried to be a wannabe drug dealer
 Westside 187 Hoover Crisp - Bounty Hunter Blood -
 Westside Outlaw -

Couple of days after murder - they moved
 back -

Henry Pace - he lived on Cuchetti - Blue & white hair.
 Across 8th

The next days all got arrested - next day on
 two - Anson McFall back in detention - got them gun
 in N.R. Lake. 410 - Bicycle cops. Off Warner &
 Quarles familiar w/ their dispute

Mark stole a gun from a peace officer -
 on 82nd.

Ingram lives on Pt. 502 Fairmont - go to 6th - 50M -
 d'Od a hell run w/ Mark - he hit the chair

①

April Ryan Interview
3/22/99

April met John Ballantine at Loni's Truck Stop at I-40 and Armat, Linnville. Loni's Linda Caylor helped John get hired there. April met John near the end of October 97. He was working the Subway and a small portion of Loni's, as ^{were} April & Linda. They worked different shifts but had a friend in common named Carl Evans, BM, deceased June 98, of AAS. John and April eventually became friends and she began to visit John at Carl's home on Highland Street. John moved there for a while after he left Misty's house on 17th Street. April and John began dating toward the end of November and through December ^{January}. He got his own place on North Virginia the end of December. John was staying at Misty's some through these months although he ~~from~~ told April he was staying at his cousin's home.

April never met Misty but heard Linda talk about John. Linda wanted John away from her daughter. She said he was her first black boyfriend and Linda did not like him. Misty's baby is mulatto and everyone assumed it was John's baby. It is not ~~although~~ but John was very good to the child. April heard rumors John hit Misty but she does not believe them. He has never struck April and is always in a good mood. April was unaware there were problems between John and the boys. The John told her Misty wanted him back and came to

(2)

The Nigger home to talk him into reconciling. He would not and told Misty so. He told April his family wanted him to find someone new who would treat him right and quit playing games. Misty wrote John notes and cruised the neighborhood looking for him. He kept his north Virginia address a secret and none of the Caylors knew where he lived. John told her the Caylors would not leave him alone but he never said he was afraid of them or had been threatened.

John ^{was fleeing from} left Loni's before Christmas in 1997. He showed up late due to car trouble and failed to let anyone know. Around the same time he got his tools, clothing, etc. out of the house on 17th. It could have been as late as the first of January April is not certain.

During the second week of January April, John and her children went to see "Slurp". After the movie April dropped John off on Brazos street. It was after 9:30 P.M. ^{on a Saturday or Sunday night} He later told April he was going to call her from a pay phone and Misty drove up. She wanted him to come back to her but he refused. Three guys he didn't know got out of the car and jumped him. This occurred near Tascosa High School. April saw him the next day and he had a cut lip and a bruised ear. He was okay and giggling, telling her he didn't know who they were or why they needed three people to jump him. During the next week April saw John nearly every day and recalled nothing in particular going on.

(3)

John did not mention any problems he might have been having with ~~the Taylors~~ ^(Sany Cair). He hung out with his cousin "Money" over off Eastern street. He laid a floor for him and was working on some guy's car on Brazos street. He got paid a little for this work as he did not have a current job. During this period of time Eric showed up and started spending time with John at the north Virginia address. April did not have any problems with Eric, he was okay around her. He had a girlfriend whom April met once.

During the week of January 18th Shawn Dee brought some guns to John's house. April calls it being a Monday night when Shawn Dee came in. He brought in some rifles and put them in a closet. He left then and April tried to tell John not to let Eric and Shawn Dee use his house as a garage or for gun storage. John didn't think anything of it and told her it was no big deal. April left and went home.

The next day was Tuesday. April and John had lunch at Gardski's then John wanted to go to K-Mart. April wandered around in the store and did not see where John went or what he did. She took him back home to Virginia street and she went to class at U.C. at 6 or 7:00 P.M. After class she went back to John's and he wanted to go back to K-Mart. He exchanged some ammunition he had. She walked to the counter and saw him pay for it but does not remember what it cost. She asked him what it was for and he told her he needed it for protection. The door at his new house wouldn't

(4)

lock from the inside, only with a padlock on the outside. He felt safer if he had something to protect himself with and asked if she didn't agree. She told him okay because of the door. They talked about vacations and John asked if she wouldn't like to just pick up and go. She told him sure, but with a job, kids and school it took planning. They talked a little more and John told her something bad was going to happen and didn't she want him to have protection. He did not specify what or when anything would happen that would be.

They went back to John's house. Eric was there on the couch asleep. April and John laid down and watched T.V. Sometime that night someone pulled up in the back and John looked out the bathroom window to see who it was. It was Shaundee. He finally left and then Eric woke up and left. April fell asleep and woke up about 11:30 P.M. She got home at 11:45 and woke her mother to tell her she was home. This is her usual practice as a matter of courtesy to her parents. She had to go to work at 5:00 in the morning so she went to bed. (Her father was in the hospital at the time.)

About 1:00 A.M. she received an incomplete ^{local number} page on her pager. (She turned this number over to the police later.) Around 4:30 A.M. she got another page but she was getting ready to go to work and didn't call right away. She called later but was disconnected. The number turned out to be the bus station in Camarillo.

April did not see John that day. She went by P-559

(5)

his place a couple of times but he wasn't home. She didn't know where he was and became worried.

A friend asked her what she was going to do. She felt weird because she and John communicated daily. She got a call later that evening in class but could not return the call until she was finished. It was a New Mexico number with John's age so she knew it was him. That number was to a pay phone but John was not around when she called. She never heard from him again in any way until he was caught.

April was in class on a Wednesday(?) night and a friend paged her to tell her ~~the news~~ about the murders. April didn't know what to think. She was upset when the police talked with her. They scared her when they took her from work. She does not remember everything she told them but she felt threatened by the police and the prosecutor. She recalled making some corrections on her statement but when she went to the D.A.'s office in January there were no marked corrections in the statement they showed her. She refused to discuss anything with them and is now considered hostile. April believes John knows who committed the murders but will not tell. April personally believes Shawn Lee and Eric may be responsible.

The rumors on the street were the group living in the house on 17th were selling drugs. April never went to the house and never met Misty. She drove by a few times when she wasn't sure about John. She knew John and Misty lived there alone for a while and that Markie moved in when he paroled out. The kids wouldn't have lived with Linda be

⑥

cause they were too much free spirits. Linda was a contradictory person who was generally talkative but became very quiet and withdrawn shortly before she left Love's. She said she didn't like John and would find a way to send him to prison. John would never know how she did it. Linda treated John like dirt because he was black. Linda allegedly had carpal tunnel surgery and quit Love's in January '98 prior to the murders. She has been back in a few times but has not had contact with April.

April knows little about John's family. He grew up on a farm in Arkansas. He has a brother Freddie who is older, and Eric Smith is a younger brother. He is very close to Freddie. John's father was killed in an auto accident when John was very young. He and his mother don't get along very well and April has the impression the family is not close. She has no information on other family members except perhaps a couple of cousins who live here. Thierry Tucker is not a blood relative but Gary Cain, "Money", is, both are referred to as cousins. April doesn't know much about Eric but Freddie said Eric had drug charges that were dropped in exchange for his testimony.

John has scars from various incidents but April does not remember how he got them. He did have some sort of auto accident as a child. He fell out of a car and whacked his head. He was out for a while and hair doesn't grow ^{there} anymore ~~where~~ he hit his head. The other scars are mostly from kid stuff that April does not recall anymore. John just does not talk about growing up or his childhood. Carl Evans once warned April not to talk ask John about his mother, it was a sore subject. ^{P. 561}

John ^{used} ~~does~~ no drugs April was aware of, and drank little as a single beer made him loopy. He was always cheerful, smiling and bouncy. He had no attitude toward white people or white women in particular. They never had discussions concerning racism or using the term nigger. John keeps his distance until he's comfortable with people. He treated April good and she does not fear him although det. Horn told her to be careful. She feels no danger from John's kin but Eric makes her a little nervous. Freddie was in jail over Christmas for domestic violence but is usually nice. He was shocked John was arrested for the murders.

April considers Angie Allen to be very nice. She heard Angie went to the boys house to get a key for ^{the} hubcap because she had a flat tire. She didn't know John's tools were not there. She pulled up and the boys came out with guns in their hands. They started yelling "if that black motherfucker comes around, we'll get him." This was reportedly on a Sunday. Angie left but did not call the cops.

John was not paying rent at the little house on north Virginia. He was fixing it up in exchange since it really was not habitable. John was putting up drywall and there was carpet in it that was not laid. It had no heat or hot water so he stayed at the Nigga's because it was cold. He said he would discuss the rent with the Means after he fixed it up. They finally got a little gas heater and had it set up on blocks. April bought John some things such as pots, pans, dishes, etc. She also ~~put~~ gave John a gun P-562

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her mother made. The police told her she could get her things and Mrs. Means said she would call her to pick it up. She never did however, and April would still like to at least get the guilt. She said John's tools and clothes were there and she doesn't know where they are either.

April was called to the D.A.'s office in January and ~~she~~ talked with John Corly. He threatened her with aiding and abetting John. She wouldn't talk because their copy of the ~~2~~ second statement did not have the corrections she made. She knows she corrected both statements. She said she told the police she believed John knew who killed the kids, but their affidavit said she believed he killed the kids. She has not talked to anyone since that meeting in January.

John met Misty through a friend he worked with at a car shop. It was a garage ~~and~~ or body shop John and this friend were driving around in one of the cars they worked on and saw Misty with another girl. They were to meet the girls at 6:00 P.M. in the evening but in some park, but were delayed until very late. Misty and the girl were still there at the park when the guys showed up. April stated John was really good at mechanic work.

April has had a number of anonymous calls on her pager that spell out "die", also calls to her grandmother visiting John in jail; a wanted poster was put on her car (Montana has it), her car was egged at A.C. and a black rose left on her windshield (reported to A.C. ^{P-5831}).

⑨

cops) and two days later "Slut" was scratched onto her car while she was at Wal-Mart. She does not know who has done these things. She does not know any of the Caylo's besides Linda, and a very large number of people could have her pager number.

One of the anonymous calls was from ^{the} Dallas Metroplex area. It had something to do with investigating Patten County for April's after hour visits to John.

Addendum: April has no idea who Ronnie or Gene might be. John never mentioned them.

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Angie Allen Interview @ 404 S. Virginia, 374-7155
3/23/99 7:20 P.M. - 8:00 P.M.

Angie met John through Freddie Balentine. He is John's brother and Angie's ~~at something~~ boyfriend. She has known John about 5-6 years or so now. The brothers are from Arkansas and have some relatives here. John did not live here when she met him but visited several times. He did move here for a while in '92 or '93. He had a girlfriend named Blake and she lived in Amarillo for a while. She and John have a daughter together and Blake has a little boy also. This last time John ~~was~~ stayed here for about two years.

John worked at J. B.P. for a while and did some roofing work. He also worked on cars and was a pretty good mechanic. Angie really doesn't know what else he was doing but he did work at Applebee's a couple of months while she was there. She is still employed at Applebee's.

Angie knew Misty and babysat for her baby. Misty seemed fine to Angie and they get along well. They socialize some, visiting each other's homes, eating and watching movies. Angie met Misty after she and John moved into the house on 17th. Angie visited them there and at first they lived alone. Then Misty's brother and a cousin were in and out. Angie never saw anyone doing dope there or any evidence of paraphernalia. John dated Misty for six months to a year altogether. She does ~~not~~ ^{not} know how they met but John had another white girlfriend before Misty.

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Right before the murders occurred John told Angie there were a lot of drugs and dope smoking at the house. He'd come home to a cloud of smoke and the baby would be there. He would ask Misty to make all the friends and relatives leave but she wouldn't. Angie stated she never saw John do any drugs at all. She saw him drink a little but not at his house. He said kids were the most innocent thing and you shouldn't drink or do drugs in front of them. Misty told Angie she smoked weed but Angie never saw her do it. John told Angie about the drugs and lots of people being at the house approximately six weeks before the boys were killed.

John complained a lot a few weeks after he and Misty moved into their house. He told Angie Misty's brother and cousin were there and it bothered him. Angie used to visit at John's so he could work on her car. One time a cousin of Misty's was there so Angie took the baby home with her and kept her for a while. She took the baby back and dropped her off and left. Toward the end of John and Misty's relationship they were not getting along well because of all the drugs around. John would ask everyone to leave because Misty wouldn't. John told Angie "they" jumped him and he hurt his back. About that same time the trouble started. Misty and her brother jumped him at the house. P John moved out of the house and Angie saw him around quite a bit. He told her he and Misty might get back together. This was over a two or three week period. John also

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told Angie he punched Misty in the face once or twice. He punched her because she was nagging him about something but Angie does not know what that was.

About a week or ten days before the murders Angie went to ~~the~~ ^{Misty's} house on 17th. She was looking for John and/or his tools. She knocked on the door and Misty's brother came to the door. She told him she came to get John's tools so he could work on her car. The brother ~~came to the door~~ ^{was pale}, heavy, had a chubby face and was red-haired. He had a gun in his hand when he came to the door. It was black handled, short pistol and he held it down at his side. He stood in the door and told her John wasn't there and his tools weren't there. He said, "Fuck John. I'm going to kill him when I see him. You tell him I'm going to kill him when you see him." Angie said she wasn't telling John anything, he could tell him John himself. Angie's nephew was driving the car. They got back in it, sped out in the street and made a u-turn and headed back west. Markie came back to the door again and stood there with the gun in his hand. He didn't wave it around and did not threaten her.

Angie found John ~~and~~ ^{with} his tools at Thierry's (Rucker) house. She told him to be careful, especially since they had already jumped him once. John told her he wasn't worried about it, he had other things to worry about. Thierry did not hear her telling John about the incident.

The night the murders occurred Angie heard a knock at her door. It was between 1:00 and 3:00 A.M. - The nephew ^{P-567} was

(4)

sleeping on the back couch. He got up and went to the door before she could. Angie heard John run past her bedroom window on the south side of her house. He said shit, or something, and she recognized his voice. The nephew saw no one at the door but Angie told him it was John. The nephew wondered what John had done and Angie said she didn't know. They both went back to bed. The next day they ~~to~~ heard about the murders on the news and wondered about it. Angie's nephew only knew John in passing and knew little about him.

Angie stated Freddie was shocked about the murders. He couldn't believe John had done it. He could not imagine anything bad enough to make John do something like that. Angie said all the brothers are different, with Eric being the most laid back. If Eric knows anything about this he has not said anything to her. Eric is married to Rhonda, "Stack." She works for I.B.P. Eric works for Labor Ready, a temporary service, and is probably home right now. Stack and Eric have two children.

In December Angie was subpoenaed. She talked to the state then and told them the same thing she reported today. She has not heard from them since.

Freddie was in jail over Christmas for domestic violence toward her. Angie said it was caused by alcohol. They are no longer together.

Betty and Andy Carlson Interview - 1703 Buchanan, 376-5036
3/21/99

Betty Carlson was in bed reading in the early morning of 11/21/99. She heard something in her back yard being moved. Shortly after that she heard two shots that sounded as if they were to the south of her home, maybe in her next door neighbor's yard. The shots were separate and not just right together. A minute or two later she heard a third shot as she was getting up to call the police. As she was calling the police she heard another shot. She told them someone was popping off a gun and they told her they would send someone. She and her husband heard a total of four shots before they went outside. Andy had a flashlight and he was walking around. He walked toward the corner of 17th and Buchanan and they heard one last shot. It sounded as if it came from the east. Andy was at the corner by then and he looked toward the east. He saw no lights on at the house on 17th Street. The Carlsons thought the entire sequence of shots lasted between ~~five~~^{ten} and ~~ten~~^{fifteen} minutes. They estimated the police arrived within five to ten minutes after Betty called. They both agreed there was one final gunshot after the call. There was some disagreement as to the exact combination of shots. Betty thought there were two separate shots, then one more, then another while on the phone to the police and finally the last one as Andy was outside looking around. Andy recalled two shots together, fairly fast, then in a ~~couple~~^{few minutes} of a couple more, and a couple of minutes after that, the last one.

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In any event, one policeman arrived, then two other ^{police} vehicles drove up. They drove on south on Buchanan. The first officer talked to them and looked around. He was parked across the street at the corner. They saw a young man in the street but could tell little about him. The officer frisked him and put him in his car. The Carlsons went back in the house and the officer left with the guy in his car. The Carlsons did not notice the tin behind their garage was completely down until the next day. It was there to keep their dogs in their yard and was wedged up between their fence and garage pretty tight. It could not have been blown down by the wind, it had to be pulled or dislodged in some ^{other} way. It is now nailed up; at the time it was wedged with boards into the space between garage and fence. Betty also remarked it took her some time to get out of bed on the last end of the house, go to the front or west end of the house where the phone book was and look up the dispatch number. She did not call 911, but called the police department directly. Kelly - put this part after the *

Betty had talked to the young couple who lived on 17th a few times. She had to walk past their house to get to the trash dumpster because she couldn't get out of her back fence easily. She played with the baby occasionally. Mr. Valentine was very nice and well-mannered. Misty did not complain or talk about having any problems. Both Carlsons noted they were pretty good neighbors. They did not hear arguing and the music was not too

loud. Misty's brother was there from time to time and they only noticed two or three cars which came by regularly. John and Misty lived there approximately four to eight months. They both thought John moved out about a month before the murders and Misty moved out shortly after he did. Mr. Carlson remarked the house was old and leaked air. He believed they had plastic over the windows, primarily on the inside. He said at one time there was a bed set up in the little add on in the back of the house.

Mrs. Carlson said a couple of neighbors also called in ~~the~~ photos found on 94. ~~Her~~ The lady in the trailer house, Camellia or something like that, and a lady down the street north in the two story house, Camellia or Carmella was interviewed on J.V.

Terance Gardner Interview - 2204-10 W. 8th, Amarillo, Tex
3/21/99 - 9:30 A.M. D.O.B. 1-26-66

Terance has no phone and is unemployed. He lives in Eric Smith's apartment, ^{Unit} D, having previously lived in Unit C. Eric moved out the 5 of March, and moved to 211 Austin Street. Eric drives a burgundy Buick but Terance does not know where he is employed or if he has a phone. He does have a girlfriend named Stack. Glen Baskett is landlord for this address and the house at 211 Austin.

Terance met John through Eric when John visited. John also used to visit with Jemoya Brown. Terance knows Misty Caylor because she used to mess with a homeboy of his who is now in prison. His name was Billy and he is a Patter County thief. He is the father of Misty's baby, not John. Terance reports that Misty was pretty nice and he liked her fine. He also knows Misty's brother, or some relative. A tall kid with a long, blond ponytail. Terance used to see this guy at UTM on 10th where Misty worked. He told G. Terance that John jumped on his sister and treated her bad.

John came over one day and told Terance some white boy tried to jump on him. It was before the murder and before Terance's birthday. He said he tried to get his clothes out of Misty's house and Misty's brother and some of his friends jumped him. He was still messing with Misty and then took up with April. John didn't talk any wrong that Terance could recall.

②

The last time Tarance saw John was at his birthday party. Tarance's birthday was on a Monday or Tuesday in 1998 so he had his birthday party the weekend before. He saw no marks on John's face and John didn't seem upset. (Tarance thought he had his party before the murders.) The next time he saw John was in the summer in jail. He'd just been picked up and Tarance was in jail on traffic charges.

Tarance thought John always acted a little funny. He didn't do drugs and would only drink maybe half a beer. He seemed to be on a kind of natural high or something. He was kind of weird. ~~Then~~ Tarance didn't mess with John too much, he was a bad driver, drove too fast turning corners and so on. He acted like something was kind of wrong with him, like he didn't have enough of what he wanted. He and Eric were very different and didn't hang out much unless they were working on cars. John never said anything about any of Misty's people doing any dope, but said they didn't like him because he was black.

John really wasn't very smart in Tarance's opinion. He wouldn't "show you nothing". He always had kind of a different attitude. He never got mad and was kind of happy-go-lucky. He wanted a car and a job and didn't mind taking care of Misty's baby. He acted like he wanted to do that.

Tarance said Eric was more outgoing than John. John didn't get along too good with folks. He just had a different personality. He didn't like

(3)

white folks too much and that's all he seemed to mess with. After the murders Eric could not believe it. He told Larance he did not give John a gun. Eric and Shaun Dee were partners. Larance has not seen Shaun Dee around in a long time.

John told Larance when the guys jumped him there were four or five of them. They tried to stab him and cut him with a knife. It didn't seem to bother John that Misty's family kept his ^{things} ~~stuff~~. He just said, "Big deal", they kept my stuff." Larance said he never saw John violent or upset; he doesn't understand this deal either.

Gony Hernandez Interview, 1301-BB Buchanan, Amantle, 379-9621
3/21/99

Mr. Hernandez is Andrew Douglas's step father. ~~He~~ was asked permission to speak to Andrew and Mr. Hernandez and Andrew's mother said there would be no problem. Andrew was not at home however so we visited a few minutes.

Stephen Watson and Andrew attended Austin Middle School together. They were best friends while there but Stephen went on to Gascosa so they didn't see each other much after that. The night before the boys were found Stephen's mother called their house looking for him. They had not seen Stephen and didn't know where he might be. It was pretty late when Terri called.

Mr. Hernandez has a buddy on Lincoln Street who saw a guy in a ~~Purple~~ Cadillac over at the Caylon house. It belongs to the people who paint those signs on everybody's yards. The car was seen there several times. The buddy lives in the second house on Lincoln in the 1600 block. Everybody in the Caylon house was smoking dope all the time. The day before the ~~boys~~ ^{boys} were shot a lot of kids were seen coming out of the house.

Mr. Hernandez believes Mark Caylon sold some bad dope to the guy and Kai and Stephen were in the wrong place at the wrong time. Mr. Hernandez had seen the defendant walking through the neighborhood on several occasions but didn't realize who he was until

he saw him on the news

Mr. Hernandez just got Andrew to stop smoking dope last week. He told him it was not worth it to be locked up over the stuff. Guyp would be messing with his girlfriend if Andrew was in detention and all kinds of other undesirable events could occur. Mr. Hernandez stated he himself got all messed up on drugs but finally was able to quit. He pointed out he lost all his teeth to drugs. It is a fact he is dentally deficient.

Telephone Interview with C.L. Borden, Newport, Arkansas
 D.A.B. 12/8/23 870-
 4/6/99 - 9:05 P.M. - 9:35 P.M.

Mr. Borden has known John's family for many years. He has known ^{who} John ^{was} since he was born and John has worked for him off and on ~~through the years~~. He worked for him primarily in '95 and '96 helping him out in Mr. Borden's handy man business. Mr. Borden performs carpentry work, ~~also~~ roofing, flooring, concrete pouring and plumbing.

John was not particularly dependable in coming to work. Mr. Borden would sometimes have to go pick him up, take his baby to day care and then on to work. John had no vehicle at the time so that was part of the problem. John would occasionally just not show up at all. When he did work he worked hard. He caught on quickly and was good with his hands. He was a tinker~~er~~ man and liked to work on cars. He could repair anything. He could fix radios, V.C.R.'s, and about anything else.

Mr. Borden never knew John to be involved with drugs and he was not a thief when he worked on Mr. Borden's jobs. He never came to work drunk or high. He was not known to be violent. Mr. Borden didn't know John growing up but John's mother joined his church and got John to come a few times.

John's grandmother and her brother lived with the Borden's years ago. John's father was a twin and was killed when John was very small. He was in -

②

involved in an auto accident but Mr. Borden does not recall the details. Clara May married a man named George Smith and had a couple more kids. George wasn't particularly good to the children and Mr. Borden heard they did not get along too well. Clara May is no longer with Mr. Smith. John's family was buying a house in a subdivision outside Newport. The house burned last year.

John had a woman friend whom he lived with and Mr. Borden met her once. He does not remember her name, but they had a child together. John is well known in Newport and many people who knew him growing up are mystified as to why he would be involved in something like these murders.

John had many white friends in Newport. Mr. Borden dropped him off at white friends' homes quite often. John got along well with men and women alike. It is different for kids now growing up. Mr. Borden is 76 years old and lots of things have changed. He does not know who John's friends are but really has heard nothing bad about him. ~~or any of the~~ John was advised to go to a Vo-Tech school and get certificates of training but he never did. Mr. Borden also told him he would train him to do all he knew and he could take over his business. However, Mr. Borden's son quit his job and started working for his father and John told him to go right ahead and he moved on.

John's worst fault was being kind of goofy. He'd hang out of Mr. Borden's truck and yell and giggle. P-578

③
Mr. Borden would tell him not to act quite
so silly and be more serious. John kidded and
played around quite a bit. He acted kind of "nuts"
and was sort of jolly and goofy. He was also likeable
and Mr. Borden felt most people did like John.

3/26/99 12:50 P.M.

Need releases

John Lezell Balentine /AKA Smith
a.o.c. 1-30-69 S.S. #

Newport High School -
Newport Jr. High School -
Castleberry Elementary School -
Albright Elementary School -

→ Dept. of Human Services - Newport, Ark.
I don't have a copy for this - how does body
Newport Hosp.? need to be added?
Gavis Hepp. -

4/6/99 C.L. Borden - D. 12/8/23

9.05 Knew D's family since D born - kids are around, see them grow up. Carpentry work - A helped him for c. 2 years - 1989/1996 - A helped him out - sometimes didn't work - He was a timber man, worked on cars - did help when needed, he a good worker - did not show up on time right - Lot of times, you'd have to go get him up - go take baby to daycare & the work. Had no car - never showed up drunk or high - One good guy, never caught him high, not involved in drugs. Mr. Borden surprised about A - some other folks knew him when he was a kid - They asked, what ever happened to John.

Knew his father back when father was born - he was a twin - A's grandmother & her brother lived w/ Mr. Borden - he in Calif. now - They were good people - dad killed in car wreck - A = 1 year. The family living in a new addition, buying a house - The house burned last year - Heard about the accident.

No knowledge of D's step-father - has met him - Geo Smith - not w/ D's mom. He did live at Batesville - Had heard rumor re Geo. bad to kids. Didn't get along too good -

A had a woman friend that he lived with - met her, doesn't recall her name. She in Kitchen -

John not known to be violent - did not know D growing up - Clara May joined the Church, & got

to D. He never stole from Mr. B., he never stole & worked inside homes - never misplaced

Worst thing re D - he had friends & kidded around & played a lot - acted like he was nut; kind of goofy, jolly. Really liked him -

It's different for kids now. He's 60-70 - When D there, around a lot of white friends, men & women - got along good w/ them - never heard anything bad about John. He'd let D out at some white person's house -

D considered easy to catch on to stuff. talented w/ his hands - cars, radios, VCR's, just good w/ that stuff - D liked auto work & advised to go to Vo Tech - D said thinking about it - Mr. B. said get that paper - Or, can help Mr. B., I'll teach all I know, I'll be getting out soon - D could plug where Mr. B. stops off. Then Mr. B.'s son got laid off, carp., too. asked dad for job - quit driving a bus, Mr. B. okay - D said, let your son work for you, I'll work on cars. D worked a couple of times more -

Mr. B. does plumbing repair, concrete work, etc. Put down marble floors, do roofs, etc.

D well known around here - Mr. B. did not know who his friends were. 9:35 P.M.

4/21/99 Carl Scott - 1801 S Buchanan -
 Knew Kai - or Stephen Watson → horny -
 Lots of drugs

Andrew Douglas
 1301 S Buchanan Apt 1 - 379-9624
 Saw his friend shot in head
 yesterday - told Spec. E & Teacher & Bmw

★ ^{Step} Mrs. Hernandez. Andrew's step-dad -
 Went to Austin Middle School - Had a buddy
 in Lincoln - saw guy in pink Cadillac -
 all smoking dope in that home - M Cuzler
 probably sold bad dope, Stephen & Kai wrong place
 wrong time - day before shot, lots of kids came out -
 1956-58 - Pink Cadillac guy painting signs - 2nd home a Lincoln -
 there several, Bmw

Stephen's mom called for Stephen ^{yesterday} - next day
 found out
 Got Andrew to stop smoking dope last week -
 (M H lost all his teeth to drugs)
 Saw A walking thru neighborhood quite a bit
 saw pics in A.V. & knew for who he was -

Balentine

3/21/99 - 9:30 AM -

Eric Smith - 2204-D - Cadillac, yellow
Y7V-89H

Angelique Allen - & Dominick Olwin - 404 S Va.

Juan Dech Libray - 354-5448 -

Armer. Psychologist Mon 97 21 - 1: to 11:00 PM

3/21/99 - ^{Gordon} Spoke w/ Lawrence ^{2204 D} - no phone/unemployed
Eric left 5 of March - to 211 Austin -
Burger Buick - Glenn Baskett - landlord
own other place - got a gf. - "Stack"
no know of phone no - no knowledge of work

I used to visit w/ Jemoya Brown -
used to see D here w/ Eric also - Knew Misty
from U & M - she used to mess w/ another homology
B/M, not in prison -

I came over one day to said white boy tried
to jump on him - he came over for B.D. on Jan 26, 1998 -
when I tried to get his clothes - Misty's bro. &
some of his friends didn't talk about revenge -
still messia w/ Misty - then got up w/ April
B.D. Party weekend before his B.D. - I had no marks on
his face. I always acted fuzzy - no beer or drugs -
On a natural high - weed -

Didn't mess w/ him much - bad driver, fast,
turning corners - acted like something was wrong. Didn't have

enough - I never mentioned Misty's folks doing cage - I said family didn't like him - because he Black. He & Eric didn't hang much unless working on cars - very different

I not really very smart - he wouldn't show you nothing - always had diff. attitude - never saw him mad - happy go lucky - Wanted a car & a job - Taking care of the baby - wanted to -

Met Misty - she nice, she dated Billy, ^(Chief Partner) the baby was his, not A's - thinks met at VM in 10th & Adams -

Met Mark at VM - Long, blood going tail. He'd ask what John did to my sister - he'd going on her - every time we went in to store.

Harder at City Jail for traffic tickets - saw this summer

Eric more outgoing - John didn't get along too good w/ folks - Didn't like whites too much but that was all he messed with

Eric couldn't believe it - Eric said he did not give A a gun - Sham Dee Eric's partner - haven't seen her in a long time -

4-5 against A - tried to stab him, cut w/ a knife - didn't bother John that family then Boag Deal they kept his stuff -

Home - first to the re. - white & blue AUST
HYV - 68M - Aug 98 - 211st Austin
HX - 45 R.

Betty Carlton.

Heard the tin being moved - the tin was wedged between garage & b'y - heard that before shooting - she awake reading - 1st thing heard.

After tin moved - pow - pow - gunshots -
Then a min. or two later - 3rd shot -
She came in from bedroom ^{for phone book to front of house} Called police
no. - told them someone grappling off gun -
Then 3 cops - 5-10 min. arrived -

One cop phed at corner - lost me to leave
cops - Saw a young man - caught him & frisked
him - put in (1700 Bush) car in front
Heard 4th go off while on phone

Heard 4 shots before they came out - ^{and} came
out w/ flashlight, walked around neighborhood &
to corner, towards east - no lights on 17th at that
time. ^{Heard shot to the east}

Betty ← 2 shots smacked r. in backyard - fast to Andy

Betty ← 3 shot sounder like Casper's backyard -

Betty ← 4 shot - on line to w/cops

Betty ← 5 shot. Andy was out & looked around -

off. arrived - 1 stopped, others circled -

did not notice tin ^{between houses} till next A.M. - keeps
dogs in backyard.

Betty had talked to them a few times
when I rash out - played w/ baby - Mr. Balentine
very nice, well-mannered - Quiet neighbors - music
not loud - never heard arguing - lived there 4-8 mos.

Misty's brother there some - Misty never talked
about any probes - never argumentative to anyone.

A mo. before this - I moved out - a week before
she moved out - never saw lots of cars - Only 2 or 3
diff. cars who came around.

Had to look up police phone no

He heard shot to the east.

Had plastic over windows, house leaks air;
mostly on inside.

Shit on → Camellia called it in ^{at} - I lady in 2 story
house called it in too.

Andy & Betty Carlson - 376-5036

Ballentine

3/23/99 - 7:00 PM. ^{Int.} Angie Allen - PS7 51L
 Angie Allen - has been sub'd - Re. taken
 to state then

Met A thru Freddie, ex boyfriend -
 in jail she thinks - know A 5-6 years as of now -
 dated Freddie quite a while - they're from
 Ark - I never lived here - A came to visit -
 I moved here in 92-93. stayed - met one of
 his g.f.'s - "Duke" she lived here for a while -
 they have a girl that is his 3-4 yrs - 1 boy that
 is hers - A no knowledge of work on Angie -
 He worked at TBP for a while - roofing - no
 other recall - I could work on cars - I would
 go back to Ark.

The last time he here, the longest then
 was 2 years - she no know. of what he was doing
 knew Misty - had another white off. before Misty.
 did not know her - dated Misty 6-1 yr - don't
 know how they met - Misty & baby visited at Angie's fam.
 they seemed fine - Met Misty after they got home in
 7th - Angie visited them over on 12th - at first, they
 were liv. alone - then, a cousin & brother there - they
 never smoked drugs when she there - met son after rental
 place. Never saw drug paraphernalia -

Right before murders occurred, A said drugs
 there - C. G. who's prin - didn't like around baby - he'd
 tell Angie he'd come home to a cloud of smoke in
 baby - I ask Misty to make friends & let's leave
 but she wouldn't. Never saw A do drugs - she

said him ~~don't~~ some, but not there - Kids were the most innocent thing I shouldn't do in front of children. I said as part drugs - Misty told Angie she smoked weed, but Angie didn't see her.

I complained a lot - a few weeks after they moved in I said Misty's Bros & Cousins there - bothered him.

Angie wanted so I could work in car or watch movies or eat - is biggest. One time a Cousin there, Angie babysat I took baby back, she dropped off baby & left.

Toward end of rel., not getting along = drugs - I asked them to leave because Misty wouldn't. I said "they" jumped him, his back hurt - about same time, trouble started Misty I had jumped him at the house -

Same I quite a bit after he moved out - I made comments maybe Misty & he get back together - 2-3 wk time frame. She went looking for I & on tools to Misty's. She knocked on door - Brother, pale, heavy, chubby face, red maple hair - he came to door - "I came to get D's tools so to work in my car -" I'm not here, tools not here - I's not here, fuck I I'm going to kill I when I see him - "Had a gun when he came to the door - black pistol - shot pistol. He stood in door - she said - We got in car & they made a U-Turn - speed around, turned back West - Markie to door again - had gun in his hand. A week to 10 days before murders -

you hear
I told him
telling I
killed

Told D to be careful - fed him w/ his tools at Thierry's home - Thierry did not hear it. Said D be careful, they've already jumped you once. D replied - "Not worried about it - get other things to worry about it" - did not threaten Angie - she just warned D. MC didn't wave gun around. D told her about punching Tristy in the face - maybe once or twice he hit her. He punched her because she nagged him about something.

That PM - 1:30 PM - G. heard a knock, nephew in back coach, to door - Heard D ran get B.R. woman - nephew wondered what D done did - she & nephew went back to bed - The next day or next day saw news - wondered about - Nephew only met D in passing -

Eric laid back - wife & 2 kids - wk for Labor Ready - IBBP - Diff per. than D - Probably home now - If Eric know anything, she doesn't know - wife Leivonda - IBBP - Stack Temp. agency - 374-7155 -

Freddie shocked - can't believe he did it - not anything bad enough to make D do that - just dom viol. - Eric mat laid back, 8:00 PM

6:15

Balentine

3/22/99 - Int w/ April Ryan

Timothy Scott Allen? Who is he?

Eric Smith?

Shamilee Moore?

White boy enemy of A?

She & I worked together, Linda Cayton at
 Love's Truck Stop, I-40 at RR 07 - Linda got John killed -
 met A end of Oct. 98 - I think pretty good. February 0 A & L
 on diff shifts - same thing - Linda same job; did
 it all - Had another friend, Carl Evans then,
 he deceased last June 98. John & Carl lived together, eventually
 became friends - Have never met Misty - work place at Linda -
 After I left Misty's home - (moved in w/ Carl end of Nov.)
 End of Dec got his own place in Va - She that he
 stayed at corner, but was staying at Misty's - Linda just
 said wanted to away from daughter - I mean, I ² black boy
 friend Linda Contradictory - no know. of where Linda lived -
 April never to add. on 17th - All said Misty baby his -
 He liked the baby - he good at baby - baby mulatto -

Really dated bet. Nov & Dec - she'd go to Carl's at Highland -
 1411 - maybe guy didn't tell her. In Dec, she went to A's home
 on Va. - as far as she knew, he had no probs w/ boys -

In Nov, one of the boys in car w/ Misty at Nov. meeting -
 he & I got along great. Broke up w/ Misty because his ⁵⁹¹⁷ ₅₉₁₇
 stick quit playing games; find someone sweet. Did not know about

problems - Heard rumors about Misty - he's never hit
Cepi, she doesn't believe that - He is always good natured.
She has allowed D around her kid. He left Love's
before Xmas 97 - got fired. His shift 3-11 P.M. No
knowledge of work after that - 1-29 - 1-30 D -
She thinks too many plans - D got his stuff out end of
Dec. or first of Jan - had clothes & tools, for automotive.

As far as they know, no one knew where he lived -
secret - Misty would cruise area, they'd meet some-
where else - " to Mizz's - wanted him back - she wrote
him notes to get him back per D - She, Mizz. to home
on Porzas to ask him back - Caifon's couldn't leave
him alone

2nd wk in Jan - Cepi, kids D & D to see Flubba dropped
him off on Porzas - he to call Cepi on pay phone. Misty
stopped - wanted him back - 3 guys coming out of car to
get him, he didn't know who they were. Jumped him,
had a leg cut & bruised ear - occurred by Gadsden H.S.
It was a Sat or Sun P.M. after movie, 9:30 or so - saw next
A.M. He was okay - giggled - didn't know why or why
needed three people. Nothing major next week - saw him
nearly every day for a little while -

Cepi always heard the guys on 12th street, rumor -
just Misty alone for a while - then Mark paroled out on
drug charge - he in 12th soon after paroled out. Too much
free spirits to live at Santa -

On Thurs. out to pool - Ines P. is also a league, she
used to go on Thurs., met on Tues - D went when Never
spent P.M. at D. lives w/ parents -

P-593

~~I never mentioned anything about any photo - I hung out w/ someone, had a plan for me off of that - I thought I was in a guys car - I was supposed to be there during all the 8 state spending time w/ A & B. I didn't have a spot w/ B w/ C, he stayed w/ A & B - not in one -~~
~~giving me of Jan 18 - Corp asked if San Juan, 7 yrs -~~
~~Alman Lee brought you - 7 PM before murder - I was brought in after I got in class. He left - no him of relation - I gave time to the him not to let B w/ C have so you can on you - I gave him that PM -~~
~~How I the next day, Jan. 18 - that afternoon - at that at Burdick's - I wanted to go to K-Mart - the warehouse owners, no him of what he did - that his home to B, at home at 6-7 PM. He H.C. - After class, back to B, I wanted to go back to K-Mart. He asked me to come - the whole to counter, saw him going for it - no need of car. He said - He said he needed to have protection. He would stay because there was no one else - stay. I asked about protection, I said, would you like to just pay 100? "I said, something had to go on to happen, but you want me to have protection? The stranger there, didn't go out Monday - then, I gave got that happened - one asleep in couch - laid down & watched. Someone in PM, someone pulled up in truck - I got up I looked out backroom window - I saw Alman Lee - finally then he left. B w/ C w/ A up, left - didn't come back before the left. He wrote up a 11:30 - home at 11:45, with man up to~~

Gay Anne

5:00 A.M. to work - @ 1:00 P.M. - told them
 She did not see D that day - left wh 3:30 P.M. - went
 to find him - @ 1:00 A.M. (before she went to work at 5:00)
 got a complete local no. - gave Sgt Han - @ 4:00 - P.M.
 got another page, getting sleepy, didn't get it (later
 found → his sketch) Went to his home a couple of times,
 hadn't heard from him - A friend came up to hang
 & asked what he was going to do? She felt weird.

In class that P.M. - friend paged her & told
 April she'd seen it on news April didn't know what
 to think - thinks D knows who did it (April thinks - just feeling
 Eric & Shannell may have done it) A friend saw Eric
 a couple of weeks ago & he asked if she still liked that. Both her -

Paul year, people fall, death throats in paper, wanted
 picture on her car → Montana for it (DIE HQ)
 got there in March of last year - anyone at work could have
 it. or A.P.D.) Pages first - April or May - Winter - D - in
 passenger side - her daughter saw it) At A.C., she logged &
 black rose left on shield - rptd to Campus Cops - 2 days
 later at Walnut - shut scratched on car - Linda C. only
 one she knows in family - Linda left in Jan '88, before
 murder - to have Cerebral Funnal surgery. Shortly before
 she left, became very quiet & withdrawn. Told Paul
 Linda said didn't like D & would send ^{him} to prison & she'd
 never know how. Treated him like dirt, they dated less
 than a year - D locked down for 30 days, nothing -
 Spirits okay.

Δ paged her Wed. PM. in class - didn't hear from her again till caught - did not write her or send word again.

Coyle - Threatened her w/ aiding & abetting - wouldn't discuss st's because 2nd copy at DA's office didn't have corrections - she knows she corrected both st's - story ended. Haven't talked to since - Subj'd for at DA's office.

① Talked w/ Eric on 8th after murder - Carl came over, they to Eric's, & find them - Haven't seen Δ, Eric's been home all PM. - w/ Betty B. - bounced back & forth, happen - saw saw weapons

Δ from Ark - Eric from Ark - he's younger than Δ - Freddie is older. Eric Smith - His dad killed in car wreck, he & his mom don't get along - Carl said don't ask Δ re: that - Eric & Freddie, bro., sis's, no knowledge -

Δ to Annelle before, short time - They not blood rel, Money is - Δ called all corners.

Δ didn't talk about growing up

Δ has scar - kid accidents, a spot on head, hair doesn't grow - fell out of car as a kid - No further knowledge - he told her about some, but she no longer remembers -

Had impression family not close-knit or loving - heard Δ gave Eric his whole paycheck - to buy love?

No knowledge of Eric much. - Freddie said Eric had chips dropped in exchange for testimony.

P-596

Large & Freddie at 08:00 - in your
 are known, domestic met. - seems very nice -
 A Mrs. A.E.D. -
 (Re: Dump 01 - does not do it - been made
 from leopards)
 Next pt. have more attitude than I do -
 He has no attitude he white woman on white
 groups - no Com. he: nigger, vt. Brown, - "digger"
 Black by attitude - keeps his distance -
 As a person, I trust him good, but he is
 careful by how he says things, but he is
 quite makes her nervous.
 (Re: Kevin Call - today called & talked to
 Mom - said if ps. know when Kevin goes in
 Sat. 08:00? -
 (Re: 1st am. call -
 about in Chap. 2nd - necessary for
 called J.D. - Congregating Co - Dallas Metropolitan
 this 08:00 Co. for after his visit -
 go & affiant then - I think he knows who did it -
 there - I think he killed them -
 * He grew up on a farm -
 A. Morgan - 08:00 - told - gave him a
 thank you - He called for a farm - animals,
 That's bad - what's interesting him
 I think a lot of Freddie - when he gets out, now Freddie
 John 1-30-69

Jim - 373 - 3054

Angie

Emp - Car shop - good w/ Cars Body shop in garage - working there when he met Misty - He met her when driving a car around w/ a friend - To meet at some park - Really late off work - she there, waiting

Va. home, not paying rent, fixing it - Cops said she could have her stuff. Mrs. Means said she'd call her, but she did not - Quilt, pots, pans, dishes, etc - Would like to have stuff, esp. quilt I RONDINE Board - Home not habitable, not dry walled - His tools & clothes, there was carpet, not laid - He to fix it up then would discuss rent - No hot water - no heat - stayed at Nigga's became cold - 303? Up off Blvd Yellow house, home behind it - Had a little gas heater & put on blocks

Due interview 9:20

10:25

Dead Angie went to the kids home - had a flat tire - she needed a key for hubcap - didn't know D's tools gone - she pulled up - they came out w/ guns in hand - yelling - Black if that Black M-Fucker come around - a Sunday - she left - did not call Cops -

GREEN



Thierry Rucker, John's Cousin, is outside. He wants to come in -

He has known John since birth - family, etc.

Can he come in so John will know someone from his family is here?

If convicted, this guy could be someone to speak for John -

Please let me know if I can bring him in now -

Kevin Ingram - served
by PCSO, Sat. AM.

Tony Brady - I served & int'd.
him at 1:30 - We have to get him
up

Jim Austin - served & int'd for
1:30

Nizza's - both served & to be
here 1:30 -

Thierry Rucker - served & to be
here

Angie Allen - served & int'd. for 1:30



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EVIDENCE
(Things to do)

Calendar:

Important Dates
Time sheet-important dates/times of the day

Overhead: diagram/photos

- ✓Crime Scene
- ✓Neighborhood

Crime Scene

Diagram ✓ *need*
Video *Have*

Photos ✓

Weapons/ammo found ✓

Narcotics ✓

Gang Signs/activity *Markie letter, WEST spray painted on side of house, and*
Music, letters on V's

Bus Schedule - *Check D.A. file for this*

Day of crime

- ✓Criminal backgrounds of deceased (all three)
- ✓Investigative reports of APD involving deceased

Ammo:

Police bought box from K-Mart
3 blanks
Similar gun
Approval to fire in Court

Autopsy Reports:

Blood test results

1. Chain of custody
2. Test results, etc.

Oral / Anal Swabs Geyer - ?

Copy of taped confession - *Jim?*
Copy of transcription of taped confession - *Have*
Gang intelligence officer *Powers*
Narcotics intelligence officer-

Involuntary confession

Linguist
MRI

Witnesses:

Shots fired- *Cops need 911 tapes w/ times*

Demeanor of Chris Caylor- *line 300-921*

Mark Caylor threats against Defendant- *Baile/Memo-*

Drugs at house-being sold- *Evidence of that-? List 370-473-730-1521-1531*
1799

Evidence inconsistent with Chris Caylor's statements

Time everyone went to sleep

Music on

Lights on

Door partially opened - *door lock turned correctly?*

Evidence inconsistent with Defendant's statement

Looked into residence/saw them sleeping-

Manner Defendant entered house- *under-*

Defendant went to alley/fired shot- *2*

Defendant entered residence through window-

Gun in pants when stopped and searched by APD officer-

*make this means no
check that RM. In evidence*

Tarence Gardner Interview - [REDACTED], Amarillo, TX

3-21-99 9:30 a.m.

DOB [REDACTED]

Tarence has no phone and is unemployed. He lives in Eric Smith's apartment, unit D, having previously lived in Unit C. Eric moved out the 5th of March, and moved to [REDACTED] Street. Eric drives a burgundy Buick but Tarence does not know where he is employed or if he has a phone. He does have a girlfriend named Stack. Glenna Baskett is landlord for this address and the house at [REDACTED]

Tarence met John through Eric when John visited. John also used to visit with Jemoya Brown. Tarence knows Misty Caylor because she used to mess with a homeboy of his who is now in prison. His name was Billy and he is a Potter county thief. He is the father of Misty's baby, not John. Tarence reports that Misty was pretty nice and he liked her fine. He also knows Misty's brother, or some relative. A kid with a long, blond ponytail. Tarence used to see this guy at V&M on 10th where Misty worked. He told Tarence that John jumped on his sister and treated her bad.

John came over one day and told Tarence some white boys tried to jump on him. It was before the murders and before Tarence's birthday. He said he tried to get his clothes out of Misty's house and Misty's brother and some of his friends jumped him. He was still messing with Misty and then took up with April. John didn't take any revenge that Tarence could recall.

The last time Tarence saw John was at his birthday party. Tarence's birthday was on a Monday or Tuesday in 1998 so he had his birthday part the weekend before. He saw no marks on John's face and John didn't seem upset. (Tarence thought he had his part

EXHIBIT

tabler

P-EX-36

before the murders). The next time he saw John was in the summer in jail. He'd just been picked up and Tarence was in jail on traffic charges.

Tarence thought John always acted a little funny. He didn't do drugs and would only drink maybe half a beer. He seemed to be on a kind of natural high or something. He was kind of weird. Tarence didn't mess with John too much, he was a bad driver, drove too fast turning corners and so on. He acted like something was kin of wrong with him, like he didn't have enough of what he wanted. He and Eric were very different and didn't hang out much unless they were working on cars. John never said anything about any of Misty's people doing any dope, but said they didn't like him because he was black.

John really wasn't very smart in Tarence's opinion. He wouldn't "show you nothing". He always had kind of a different attitude. He never got mad and was happy-go-lucky. He wanted a car and a job and didn't mind taking care of Misty's baby. He acted like he wanted to do that.

Tarence said Eric was more outgoing then John. John didn't get along too good with folks. He just had a different personality. He didn't like white folks too much and that's all he seemed to mess with. After the murders Eric could not believe it. He told Tarence he did not give John a gun. Eric and Shawn Dee were partners. Tarence has not seen Shawn Dee around in a long time.

John told Tarence when the guys jumped him there were four or five of them. They tried to stab him and cut him with a knife. It didn't seem to bother John that Misty's family kept his things. He just said, "Big deal, they kept my stuff". Tarence said he never saw John violent or upset; he doesn't understand this deal either.

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3-21-99 9:30 a.m.

DOB [REDACTED]

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Betty and Andy Carlson Interview [REDACTED], [REDACTED]

3-21-99

Betty Carlson was in bed reading in the early morning of 1-21-98. She heard some tin in her backyard being moved. Shortly after that she heard two shots that sounded as if they were to the South of her home, maybe in her next door neighbor's yard. The shots were separate and not just right together. A minute or two later she heard a third shot as she was getting up to call the police (Betty also remarked it took her sometime to get out of bed on the east end of the house, go to the front of west end of the house where the phone book was and look up the dispatch number. She did not call 911, but called the police directly). As she was calling the police she heard another shot. She told them someone was popping off a gun and they told her they would send someone. She and her husband heard a total of four shots before they went outside. Andy has a flashlight and he was walking around. He walked toward the corner of 17th and Buchanan and heard one last shot. It sounded as if it came from the east. Andy was at the corner by then and he looked toward the east. He saw no lights on at the house on 17th street. The Carlson's thought the entire sequence of shots lasted between 10 and fifteen minutes. They estimated the police arrived within five or ten minutes after Betty called. They both agreed there was one final gunshot after the call. There was some disagreement as to the exact combination of shots. Betty thought there were two separate shots, then one more, then another while on the phone with the police and finally the last one as Andy was outside looking around. Andy recalled two shots together fairly fast, then in a few minutes a couple more, and a couple of minutes after that, the last one.

In any event, one policeman arrived, then two other police vehicles drove up. they drove on south on Buchanan. The first officer talked to them and looked around. He was parked across the street at the corner. They saw a young man in the street but could tell little about him. The officer frisked him and put him in his car. The Carlson's went back in the house and the officer left with the guy in his car. The Carlson's did not notice the tin behind their garage was completely down until the next day. It was there to keep their dogs in their yard and was wedged up between their fence and garage pretty tight. It could not have been blown down by the wind, it had to be pulled or dislodged in some other way. It is now nailed up, at the time it was wedged with boards into the space between garage and fence.

Betty had talked to the young couple who lived on 17th a few times. She had to walk past their house to get to the trash dumpster because she couldn't get out of her back fence easily. She played with the baby occasionally. Mr. Balentine was very nice and well mannered. Misty did not complain or talk about having any problems. Both Carlson's noted they were pretty good neighbors. They did not hear arguing and the music was not too loud. Misty's brother was there from time to time and they only noticed two or three cars which came by regularly. John and Misty lived there approximately four to eight months. they both thought John moved out about a month before the murders and Misty moved out shortly after he did. Mr. Carlson remarked the house was old and leaked air. He believed they had plastic over the windows, primarily on the inside. He said at one time there was a bed set up in the little add on in the back of the house.

Mrs. Carlson said a couple of neighbors also called in shots fired on 911. The lady in the trailer house, Camellia or something like that, and a lady down the street north in the two story house. Camellia or Carmella was interviewed on TV.

Tony Hernandez Interview, [REDACTED], Amarillo, [REDACTED]
3-21-99

Mr. Hernandez is Andrew Douglas's step- father. I asked permission to speak to Andrew and Mr. Hernandez and Andrew's mother said there would be no problem. Andrew was not at home however so we visited a few minutes.

Stephen Watson and Andrew attended Austin Middle School together. They were best friends while there but Stephen went on to Tascosa so they didn't see each other much after that. The night before the boys were found Stephen's mother called their house looking for him. They had not seen Stephen and didn't know where he might be. It was pretty late when Terri called.

Mr. Hernandez has a buddy on Lincoln street who saw a guy in a pink Cadillac over at the Caylor house. It belongs to the people who paint the signs in everybody's yards. The car was seen there several times. The buddy lives in the second house on Lincoln in the 1600 block. Everybody in the Caylor house was smoking dope all the time. The day before the boys were shot at lot of kids were seen coming out of the house. Mr. Hernandez believes Mark Caylor sold some bad dope to the guy and Kai and Stephen were in the wrong place at the wrong time. Mr. Hernandez had seen the defendant walking through the neighborhood on several occasions but didn't realize who he was until he saw him on the news.

Mr. Hernandez just got Andrew to stop smoking dope last week. He told him it was not worth it to be locked up over the stuff. Guys would be messing with his girlfriend if Andrew was in detention and all kinds of other undesirable events could occur. Mr.

April Ryan Interview

3-22-99

April met John Balentine at Love's Truck Stop at I-40 and Arnot, Amarillo, TX. Linday Caylor helped John get hired there. April met John near the end of October 97. He was working the Subway and A&W portion of Love's, as were April & Linda. They worked different shifts but had a friend in common named Carl Evans, BM, deceased June 98, of AIDS. John and April eventually became friends and she began to visit John at Carl's home on Highland St. John moved there for a while after he left Misty's house on 17th Street. April and John began dating toward the end of November and through December and January. He got his own place on North Virginia the end of December. John was staying at Misty's some through these months although he told April he was staying at his cousin's home.

April never met Misty but heard Linda talk about John. Linda wanted John away from her daughter. She said he was her first black boyfriend and Linda did not like him. Misty's baby is mulatta and everyone assumed it was John's baby. It is not, but John was very good to the child. April heard rumors John hit Misty but she does not believe them. He has never struck April and is always in a good mood. April was unaware there were problems between John and the boys. John told her Misty wanted him back and came to the Nizza home to talk him into reconciling. He would not and told Misty so. He told April his family wanted him to find someone new who would treat him right and quit playing games. Misty wrote John notes and cruised the neighborhood looking for him. He kept his North Virginia address a secret and none of the Caylor's knew where he lived.

John told her the Caylor's would not leave him alone but he never said he was afraid of them or had been threatened.

John was fired from Love's before Christmas in 1997. He showed up late due to car trouble and failed to let anyone know. Around the same time he got his tools, clothing, etc. out of the house on 17th. It could have been as late as the first of January, April is not certain.

During the second week of January, April, John and her children went to see "Flubber." After the movie April dropped John off on Brazos Street. It was after 9:30 p.m. on a Saturday or Sunday night. He later told April he was going to call her from a pay phone and Misty drove up. She wanted him to come back to her but he refused. Three guys he didn't know got out of the car and jumped him. This occurred near Tascosa High School. April saw him the next day and he had a cut lip and a bruised ear. He was okay and giggling, telling her he didn't know who they were or why they needed three people to jump him. During the next week April saw John nearly every day and recalled nothing in particular going on.

John did not mention any problems he might have been having. He hung out with his cousin "Money" (Gary Cain) over off Eastern Street. He laid a floor for him and was working on some guy's car on Brazos street. He got paid a little for this work as he did not have a current job. During this period of time Eric showed up and started spending time with John at the [REDACTED] address. April did not have any problems with Eric, he was okay around her. He had a girlfriend whom April met once.

During the week of January 18th, Shawn Dee brought some guns to John's house. April recalled it being a Monday night when Shawn Dee came in. He brought in some

rifles and put them in a closet. He left then and April tried to tell John not to let Eric and Shawn Dee use his house as a garage or for gun storage. John didn't think anything of it and told her it was no big deal. April left and went home.

The next day was Tuesday. April and John had lunch at Gardski's then John wanted to go to K-mart. April wandered around in the store and did not see where John went or what he did. She took him back home to Virginia Street and she went to class at AC at 6 or 7:00 p.m. After class she went back to John's and he wanted to go back to K-mart. He exchanged some ammunition he had. She walked to the counter and saw him pay for it but does not remember what it cost. She asked him what it was for and he told her he needed it for protection. The door at his new house wouldn't lock from the inside, only with a padlock on the outside. He felt safer if he had something to protect himself with and asked if she didn't agree. She told him okay because of the door. They talked about vacations and John asked if she wouldn't just pick up and go. She told him sure, but with a job, kids and school it took planning. They talked a little more and John told her something bad was going to happen and didn't she want him to have protection. He did not specify what or when that would be.

They went back to John's house. Eric was there on the couch asleep. April and John laid down and watched TV. Sometime that night someone pulled up in the back and John looked out the bathroom window to see who it was. It was Shawn Dee. He finally left and then Eric woke up and left. April fell asleep and woke up about 11:30 p.m. She got home at 11:45 and woke her mother to tell her she was home. This is her usual practice as a matter of courtesy to her parents. She had to go to work at 5:00 in the morning so she went to bed. (Her father was in the hospital at the time).

About 1:00 a.m. she received an incomplete local number on her pager. (she turned this number over to the police later) Around 4:00 a.m. she got another page but she was getting ready to go to work and didn't call right away. She called later but was disconnected. The number turned out to be the bus station in Amarillo.

April did not see John that day. She went by his place a couple of times but he wasn't home. She didn't know where he was and became worried. A friend asked her what she was going to do. She felt weird because she and John communicated daily. She got a call later that evening in class but could not return the call until she was finished. It was a New Mexico number with John's age so she knew it was him. That number was to a pay phone but John was not around when she called. She never heard from him again in any way until he was caught.

April was in class on a Wednesday night and a friend paged her to tell her about the murders. April didn't know what to think. She was upset when the police talked with her. They scared her when they took her from work. She does not remember everything she told them but she felt threatened by the police and the prosecutor. She recalled making some corrections but when she went to the DA's office in January there was no marked corrections in the statements they showed her. she refused to discuss anything with them and is now considered hostile. April believes John knows who committed the murders but will not tell. April personally believes Shawn Dee and Eric may be responsible.

The rumors on the street were the guys living in the house on 17th were selling drugs. April never went to the house and never met Misty. She drove by a few times when she wasn't sure about John. She knew John and Misty lived there alone for a while

and that Markie moved in when paroled out. The kids wouldn't have lived with Linda because they were too much free spirits. Linda was a contradictory person who was generally talkative but became very quiet and withdrawn shortly before she left Love's. She said she didn't like John and would find a way to send him to prison. John would never know how she did it. Linda treated John like dirt because he was black. Linda allegedly had carpal tunnel surgery and quit Love's in January '98 prior to the murders. She has been back in a few times but has not had contact with April.

April knows little about John's family. He grew up on a farm in Arkansas. He has a brother Freddie who is older, and Eric Smith is a younger brother. He is very close to Freddie. John's father was killed in an auto accident when John was very young. He and his mother didn't get along very well and April has the impression the family is not close. She has no information on other family members except perhaps a couple of cousins who live here. Thierry Rucker is not a blood relative but Gary Cain, "Money" is, both are referred as "cousins". April doesn't know much about Eric but Freddie said Eric had drug charges that were dropped in exchange for his testimony.

John has scars from various incidents but April does not remember how he got them. He did have some sort of auto accident as a child. He fell out of a car and whacked his head. He was out for a while and hair doesn't grow there anymore. The other scars are mostly from kid stuff that April does not recall anymore. John just does not talk about growing up or his childhood. Carl Evans once warned April not to ask John about his mother, it was a sore subject.

John used no drugs April was aware of, and drank little as a single beer made him loopy. He was always cheerful, smiling and bouncy. He had no attitude toward white

people or white women in particular. They never had discussions concerning racism or using the term nigger. John keeps his distance until he's comfortable with people. He treated April good and she does not fear him although Det. Horn told her to be careful. She feels no danger from John's kin but Eric makes her a little nervous. Freddie was in jail over Christmas for domestic violence but is usually nice. He was shocked John was arrested for the murders.

April considers Angie Allen to be very nice. She heard Angie went to the boys house to get a key for her hubcaps because she had a flat tire. She didn't know John's tools were not there. She pulled up and the boys came out with guns in their hands. They started yelling "if that black motherfucker comes around, we'll get him". This was reportedly on a Sunday. Angie left but did not call the cops.

John was not paying rent at the little house on North Virginia. He was fixing it up in exchange since it really was not habitable. John was putting up drywall and there was carpet in it that was not laid. It had no heat or hot water so he stayed at the Nizza's because it was cold. He said he would discuss the rent with the Means after he fixed it up. They finally got a little gas heater and had it set up on blocks. April brought John some things such as pots, pans, dishes, etc. She also gave John a quilt her mother made. The police told her she could get her things and Mrs. Means said she would call her to pick it up. She never did however, and April would still like to at least get the quilt. She said John's tools and clothes were there and she doesn't know where they are either.

April was called to the DA's office in January and talked with John Coyle. He threatened her with aiding and abetting John. She wouldn't talk because their copy of the second statement did not have the corrections she made. She knows she corrected both

statements. She said she told the police she believed John knew who killed the kids, but their affidavit said she believed he killed the kids. She has not talked to anyone since that meeting in January.

John met Misty through a friend he worked with at a car shop. It was a garage or body shop. John and this friend were driving around in one of the cars they worked on and saw Misty with another girl. They were to meet the girls at 6:00 p.m. in the evening in some park, but were delayed until very late. Misty and the girl were still there at the park when the guys showed up. April stated John was really good at mechanic work.

April has had a number of anonymous calls on her pager that spell out Die Ho, also calls to her parents re visiting John in jail, a wanted poster was put on her car (Montano has it) her car was egged at AC and a black rose left on her windshield (reported to AC cops) and two days later "Slut" was scratched onto her car while she was at Wal-Mart. She does not know who has done these things. She does not know any of the Caylor's besides Linda, and lots of people could have her pager number.

One of the anonymous calls was from the Dallas Metro-Plex area. It had something to do with investigating Potter County for April's after house visits to John.

Addendum: April has no idea who Ronnie or Gene might be. John never mentioned them.

Angie Allen Interview @ [REDACTED]
3-23-99 7:20 p.m. - 8:00 p.m.

Angie met John through Freddie Balentine. He is John's brother and Angie's ex boyfriend. She has known John about 5-6 years as of now. The brothers are from Arkansas and have some relatives here. John did not live here when she met him but visited several times. He did move here for a while in '92 or '93. He had a girlfriend named Duke and she lived in Amarillo for a while. She and John have a daughter together and Duke has a little boy also. This last time John stayed here for about two years.

John worked at IBP for a while and did some roofing work. He also worked on cars and was a pretty good mechanic. Angie really doesn't know what else he was doing but he did work at Applebee's a couple of months while she was there. She is still employed at Applebee's.

Angie knew Misty and baby-sat for her baby. Misty seemed fine to Angie and they got along well. They socialize some, visiting each other's homes, eating and watching movies. Angie met Misty after she and John moved into the house on [REDACTED]. Angie visited them there and at first they lived alone. Then Misty's brother and a cousin were in and out. Angie never saw anyone doing dope there or any evidence of paraphernalia. John dated Misty for 6 months to a year altogether. She does not know how they met but John had another white girlfriend before Misty.

Right before the murders occurred John told Angie there were a lot of drugs and dope smoking at the house. He'd come home to a cloud of smoke and the baby would be there. He would ask Misty to make all the friends and relatives leave the she wouldn't.

Angie stated she never saw John do any drugs at all. She saw him drink a little but not at his house. He said kids were the most innocent thing and you shouldn't drink or do drugs in front of them. Misty told Angie she smoked weed but Angie never saw her do it. John told Angie about the drugs and lost of people being at the house approximately six weeks before the boys were killed.

John complained a lot a few weeks after he and Misty moved into their house. He told Angie Misty's brothers and cousin were there and it bother him. Angie used to visit at John's so he could work on her car. One time a cousin of Misty's was there so Angie took the baby home with her and kept her for a while. She took the baby back and dropped her off and left. Toward the end of John and Misty's relationship they were not getting along well because of all the drugs around. John would ask everyone to leave because Misty wouldn't. John told Angie "they" jumped him and he hurt his back. About that same time the trouble started. Misty and her brother jumped him at the house.

John moved out of the house and Angie saw him around quite a bit. He told her he and Misty might get back together. This was over a two or three week period. John also told Angie he punched Misty in the face once or twice. He punched her because she was nagging him about something but Angie does not know what that was.

About a week or ten days before the murders Angie went to Misty's house on 17th. She was looking for John and/or his tools. She knocked on the door and Misty's brother came to the door. She told him she came to get John's tools so he could work on her car. The brother was pale, heave, had a chubby face and was red-haired. He had a gun in his hand when he came to the door. It was black handled, short pistol and he held it down at his side. He stood in the door and told her John wasn't there and his tools

weren't there. He said, "Fuck John, I'm going to kill him when I see him. You tell him I'm going to kill him when you see him." Angie said she wasn't telling John anything, he could tell John himself. Angie's nephew was driving the car. They got back in it, sped out in the street and made a U-turn and headed back west. Markie came back to the door again and stood there with the gun in his hand. He didn't wave it around and did not threaten her.

Angie found John with his tools at Thierry's (Rucker) house. She told him to be careful, especially since they had already jumped him once. John told her he wasn't worried about it, he had other things to worry about. Thierry did not hear her telling John about the incident.

The night the murders occurred Angie heard a knock at her door. It was between 1:00 and 3:00 a.m. Her nephew was sleeping on the back couch. He got up and went to the door before she could. Angie heard John run past her bedroom window on the south side of her house. He said shit, or something, and she recognized his voice. The nephew saw no one at the door but Angie told him it was John. The nephew wondered what John had done and Angie said she didn't know. They both went back to bed. The next day they heard about the murders on the news and wondered about it. Angie's nephew only knew John in passing and knew little about him.

Angie stated Freddie was shocked about the murders. He couldn't believe John had done it. He could not imagine anything bad enough to make John do something like that. Angie said all the brothers are different, with Eric being the most laid back. If Eric knows anything about this he has not said anything to her. Eric is married to Dwonda,

"Stack". She works for IBP. Eric works for Labor Ready, a temporary service, and is probably home right now. Stack and Eric have two children.

In December Angie was subpoenaed. She talked to the state then and told them the same thing she reported today. She has not heard from them since.

Telephone Interview with C.L. Borden, Newport, Arkansas

DOB: [REDACTED]

4-6-99 9:05 p.m. – 9:35 p.m.

Mr. Borden has known John's family for many years. He has known who John was since he was born and John has worked for him off and on. He worked for him primarily in '95 and '96 helping him out in Mr. Borden's handy man business. Mr. Borden performs carpentry work, roofing, flooring, concrete pouring, and plumbing.

John was not particularly dependable in coming to work. Mr. Borden would sometimes have to go pick him up, take his baby to day care and then on to work. John had no vehicle at the time so that was part of the problem. John would occasionally just not show up at all. When he did work he worked hard. He caught on quickly and was good with his hands. He was a tinker man and liked to work on cars. He could repair anything. He could fix radios, VCRs and about anything else.

Mr. Borden never knew John to be involved with drugs and he was not a thief when he worked on Mr. Borden's jobs. He never came to work drunk or high. He was not known to be violent. Mr. Borden didn't know John growing up but John's mother joined his church and got John to come a few times.

John's grandmother and her brother lived with the Borden's years ago. John's father was a twin and was killed when John was very small. He was involved in an auto accident but Mr. Borden does not recall the details. Clara May married a man named George Smith and had a couple more kids. George wasn't particularly good to the children and Mr. Borden heard they did not get along too well. Clara May is no longer

with Mr. Smith. John's family was buying a house in a subdivision outside Newport. The house burned last year.

John had a woman friend who he lived with and Mr. Borden met her once. He does not remember her name, but they had a child together. John is well known in Newport and many people who knew him growing up are mystified as to why he would be involved in something like these murders.

John had many white friends in Newport. Mr. Borden dropped him off at white friends homes quite often. John got along well with men and women alike. It is different for kids now growing up. Mr. Borden is 76 years old and lots of things have changed. He does not know who John's friends are but really has heard nothing bad about him. John was advised to go to a VO- Tech school and get certificates of training but he never did. Mr. Borden also told him he would train him to do all he knew and he could take over his business, however, Mr. Borden's son quit his job and started working for his father. John told him to go right ahead and he moved on.

John's worst fault was being kind of goofy. He'd hang out of Mr. Borden's truck and yell and giggle. Mr. Borden would tell him not to act quiet so silly and be more serious. John kidded and played around quite a bit. He acted kind of "nuts" and was sort of jolly and goofy. He was also likable and Mr. Borden felt most people did like John.

**AUTHORIZATION FOR RELEASE OF CONFIDENTIAL
EDUCATIONAL INFORMATION AND RECORDS**

TO: Castleberry Elementary School District

RE: JOHN BALENTINE, A/K/A JOHN LEZELL SMITH, A/K/A JOHN ROWE, SS# [REDACTED]
DOB: [REDACTED]

I, by this release or a photocopy or facsimile transmission thereof, authorize and request you to release to my attorney, James D. Durham, JR. 1008 West 10th Avenue Amarillo, Texas 79101, or his designated representative, Kathy Garrison, any and all information and/or record relating to the academic tenure of JOHN BALENTINE, A/K/A JOHN LEZELL SMITH, A/K/A JOHN ROWE while a student in your school system. This release also includes a request for copies of academic transcripts, psychological testing and results, all documents related to disciplinary proceedings and other related documents and correspondence in reference to the academic or school records of JOHN BALENTINE, A/K/A JOHN LEZELL SMITH, A/K/A JOHN ROWE.

This document also authorizes any expert or other school personnel to discuss their otherwise confidential information with James D. Durham, JR. or his authorized representative, Kathy Garrison. In consideration of such disclosure, I hereby release you in your institutional capacity from any and all liability arising from the disclosure of otherwise confidential information.

You are specifically authorized to photocopy these records and to release copies to above-mentioned legal representatives.

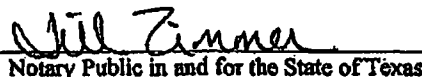

JOHN BALENTINE

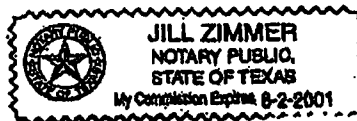
STATE OF TEXAS

COUNTY OF POTTER

BEFORE ME, the undersigned authority, on this day personally appeared JOHN BALENTINE, A/K/A JOHN LEZELL SMITH, A/K/A JOHN ROWE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this March 29, 1999.


Notary Public in and for the State of Texas



EXHIBIT

P-EX-37